



1 FERREIRA, TYKAJA HALL, ERIN MARSHALL, HANNAH WELLS and CAROLINE MILLER,  
2 inclusive, jointly and severally, allege the following against defendant LYFT, INC. and DOES 1 through  
3 100, inclusive.

4 **PARTIES AND JURISDICTION**

- 5 1. The acts and omissions alleged in this complaint occurred within the State of California.
- 6 2. Plaintiff JANE ROE 1 is an adult and a resident of Los Angeles, California.
- 7 3. Plaintiff JOHN ROE is an adult and a resident of Los Angeles, California.
- 8 4. Plaintiff JANE ROE 2 is an adult and a resident of Worcester County, Massachusetts.
- 9 5. Plaintiff JANE ROE 3 is an adult and a resident of Prior Lake, Minnesota, who was in Los  
10 Angeles, California at the time she was assaulted in a LYFT vehicle.
- 11 6. Plaintiff JANE ROE 4 is an adult and a resident of Lake Oswego, Oregon.
- 12 7. Plaintiff JANE ROE 5 is an adult and a resident of Old Hickory, Tennessee.
- 13 8. Plaintiff JANE ROE 6 is an adult and a resident of Park City, Utah.
- 14 9. Plaintiff JANE ROE 7 is an adult and a resident of Atlanta, Georgia.
- 15 10. Plaintiff JANE ROE 8 is an adult and a resident of Brooklyn, New York.
- 16 11. Plaintiff JANE ROE 9 is an adult and a resident of Cleveland, Ohio.
- 17 12. Plaintiff JANE ROE 10 is an adult and resident of Brooklyn New York.
- 18 13. Plaintiff JANE ROE 11 is an adult and resident of Baltimore, Maryland.
- 19 14. Plaintiff JANE ROE 12 is an adult and resident of Glendora, California.
- 20 15. Plaintiff JANE ROE 13 is an adult and resident of Stafford, Virginia.
- 21 16. Plaintiff BRENDA CHARITY is an adult and resident of Canton, Georgia.
- 22 17. Plaintiff INGRID FERREIRA is an adult and resident of Newark, New Jersey.
- 23 18. Plaintiff TYKAJA HALL is an adult and resident of Fridley, Minnesota.
- 24 19. Plaintiff CAROLINE MILLER is an adult and resident of Cartersville, Georgia.
- 25 20. Plaintiff ERIN MARSHALL is an adult and resident of Tucson, Arizona.
- 26 21. Plaintiff HANNAH WELLS is an adult and resident of Atlanta, Georgia.
- 27 22. Plaintiffs BRENDA CHARITY, INGRID FERREIRA, TYKAJA HALL, CAROLINE  
28 MILLER, ERIN MARSHALL, HANNAH WELLS, AND JANE ROE 1, through JANE ROE 1,000, each

1 and all, are adults and are residents of the places that may hereafter be alleged by way of amendment to  
2 this complaint.

3       23. At all times relevant to this complaint, defendant LYFT, INC. (referred to in this complaint  
4 as “LYFT”) was a corporation organized under the laws of Delaware with its principal place of business  
5 located at 185 Berry Street, Suite 5000, in the City and County of San Francisco, State of California. At  
6 all times relevant to this complaint, LYFT was conducting business in the City and County of San  
7 Francisco, State of California, and in all other places mentioned in this complaint, both as initially pleaded  
8 and as may be pleaded by way of amendment, including, but not limited to, Los Angeles, California;  
9 Newark, New Jersey; Sutton, Massachusetts; Prior Lake, Minnesota; Lake Oswego, Oregon; Hickory,  
10 Tennessee; Nashville, Tennessee; Park City, Utah; Atlanta, Georgia; Brooklyn, New York; New York,  
11 New York; Cleveland, Ohio; Canton, Georgia; Fridley, Minnesota; Cartersville, Georgia; Tucson,  
12 Arizona; Stafford, Virginia; Greenberg, Maryland; and Baltimore, Maryland

13       24. Plaintiffs do not know the true names and capacities of defendants sued herein as DOES  
14 1 through 100, inclusive, and, in accordance with California Code of Civil Procedure Section 474,  
15 plaintiffs therefore sue these defendants by the fictitious names of DOES 1 through 100, inclusive.  
16 Plaintiffs will seek leave to amend this complaint to set forth the true names and capacities of the  
17 fictitiously-named defendants when their true identities and capacities become known to plaintiffs.

18       25. DOES 1 through 100, inclusive, are responsible in some manner—either by act or  
19 omission, strict liability, fraud, negligence or otherwise—for the events and happenings alleged in this  
20 complaint and thereby caused harm to plaintiffs, and each of them.

21       26. At all relevant times, each defendant—including DOES 1 through 100, inclusive—was the  
22 agent, servant, representative, partner or employee of each of the co-defendants, and, in doing the things  
23 alleged in this complaint, was acting within the course and scope of their authority as such agent, servant,  
24 representative, partner or employee of each of co-defendant.

25       27. Wherever this complaint refers to “defendants,” such reference shall mean and include  
26 each expressly named defendant and all DOE defendants.

27       28. This Court has jurisdiction over this action pursuant to Article 6, section 10 of the  
28 California Constitution and section 410.10 of the Code of Civil Procedure. The amount in controversy

1 exceeds the jurisdictional limit of \$25,000.

2         29. This Court has personal jurisdiction over Defendants, each of which is licensed to conduct  
3 and is systematically and continuously conducting business in the State of California.

4         30. Venue is proper in this judicial district pursuant to Code of Civil Procedure section 395.5.  
5 Defendants transact business in this County, maintain their principal place of business in this County, and  
6 the conduct complained of occurred in this County.

7                                   **FACTUAL ALLEGATIONS**

8         31. Defendant LYFT and DOES 1 through 100 offer a ridesharing service, similar to a taxi  
9 service. LYFT is a transportation company headquartered in San Francisco, California and is one of the  
10 fastest growing companies in the United States. LYFT is a Transportation Network Company as defined  
11 by California Public Utilities Code Section 5431c.

12         32. At least as early as 2015, LYFT, including Lyft's officers, directors and/or managing  
13 agents, became aware that LYFT drivers were sexually assaulting and raping female customers. Since  
14 2015, sexual predators driving for LYFT have continued to assault and rape LYFT's female passengers.  
15 For four years, LYFT, including Lyft's officers, directors and/or managing agents, has known of the  
16 ongoing sexual assaults and rapes by LYFT drivers upon LYFT customers. Complaints to LYFT by  
17 female customers who have been attacked by LYFT drivers, combined with subsequent criminal  
18 investigations by law enforcement, clearly establish that LYFT, including Lyft's officers, directors and/or  
19 managing agents, has been fully aware of these continuing attacks by sexual predators driving for LYFT.

20         33. LYFT's response to this sexual predator crisis amongst LYFT drivers has been appallingly  
21 inadequate. LYFT, at the direction of LYFT's officers, directors and/or managing agents, continues to  
22 hire drivers without performing adequate background checks. LYFT continues to allow culpable drivers  
23 who have complaints of rape and sexual assault lodged against them to keep driving for LYFT. And, most  
24 importantly, LYFT, at the direction of LYFT's officers, directors and/or managing agents, has failed to  
25 adopt and implement reasonable driver monitoring procedures designed to protect the safety of its  
26 passengers. As a consequence, LYFT passengers continue to be victims of sexual assaults and rapes by  
27 LYFT drivers.

28         34. Unfortunately, there have been many sexual assaults much worse than the ones suffered

1 by plaintiffs as alleged herein, where victims have been attacked and traumatized after they simply  
2 contracted with LYFT for a safe ride home.

3 35. To utilize the service, a LYFT customer uses a smartphone application (hereinafter the  
4 “LYFT Ridesharing App” or “LYFT App”) to request a ride in a motor vehicle. The LYFT App  
5 communicates with a LYFT driver who then picks up the customer in a vehicle that is identified as a  
6 LYFT vehicle and drives the customer to the customer’s destination. Passengers pay LYFT a fee in  
7 exchange for safe passage to their destination. LYFT’s public representations state that “safety is our top  
8 priority” and “it is our goal to make every ride safe, comfortable and reliable.” Sadly, LYFT's priority is  
9 not passenger safety. Profits and market share are LYFT's priority. Lyft could make a few simple changes  
10 to the LYFT Ridesharing App to vastly increase passenger safety, but unfortunately, LYFT has chosen to  
11 not do so. As a result, the plaintiffs in this complaint, and other female passengers, continue to be attacked  
12 by sexual predators and have their lives irrevocably altered by the assailants driving for LYFT.

13 36. LYFT, including LYFT’s officers, directors and/or managing agents, is also aware that  
14 sexual assaults are not limited to LYFT passengers. LYFT is aware of the multitude of LYFT drivers that  
15 have reported being assaulted while driving for LYFT. LYFT is also aware that many LYFT drivers have  
16 installed cameras in their vehicles, at their own expense, to protect them from the incidence of sexual  
17 assault.

18 37. LYFT, at the direction of LYFT’s officers, directors and/or managing agents, understands  
19 that reports of rape and sexual assault by its drivers is not good for its business. Instead of taking a few  
20 basic and simple measures to prevent rapes and sexual assault of their passengers, LYFT, at the direction  
21 of LYFT’s officers, directors and/or managing agents, has chosen to hide and conceal from the United  
22 States public the staggering number of reported rapes and sexual assaults that occur within their vehicles.  
23 LYFT, at the direction of their officers, directors and/or managing agents, has made a concerted effort in  
24 the media, in litigation and in criminal cases to hide and conceal the true extent of sexual assaults that  
25 occur in their vehicles.

26 38. Plaintiffs’ counsel represents multiple women that have been sexually assaulted by LYFT  
27 drivers. Despite attempting to obtain records regarding the number of reported rapes and assaults that  
28 have been reported to LYFT, LYFT has attempted to conceal and block the release and disclosure of any

1 records regarding the number of reported rape and sexual assaults of LYFT passengers.

2       39.     Based on information and belief, Plaintiffs confidently allege that many thousands have  
3 been assaulted in LYFT vehicles in the United States and LYFT officers, directors and/or managing  
4 agents are aware that several thousands of women have been assaulted in Lyft vehicles. LYFT officers,  
5 directors and/or managing agents have hidden those facts and numbers from their customers and  
6 passengers.

7       40.     LYFT corporate management, including LYFT officers, directors and/or managing agents,  
8 has failed to implement the most basic and rudimentary procedures for the proper investigation of sexual  
9 assaults that are reported in their vehicles.

10       41.     LYFT has continued to let sexual predators drive and interact with vulnerable members of  
11 the public after they have received reports of sexual assaults by these predatory drivers. In many cases,  
12 LYFT has allowed sexual predators and assailants to continue driving after LYFT learned of the assaults  
13 committed by those drivers.

14       42.     Corporate decision-making with respect to passenger safety issues is centered at LYFT's  
15 corporate headquarters in San Francisco. Corporate decision-making with respect to policies and  
16 procedures for training and supervising drivers regarding sexual assault are centered at LYFT's corporate  
17 headquarters in San Francisco. Corporate decision-making with respect to how LYFT responds to  
18 complaints of sexual assault is centered at LYFT's corporate headquarters in San Francisco. Corporate  
19 decision-making with respect to how LYFT's choses to stonewall and fail to cooperate with law  
20 enforcement investigating assaults of their drivers is centered at LYFT's corporate headquarters in San  
21 Francisco. Decisions with respect to the vetting of LYFT drivers and the supervision and non-supervision  
22 of LYFT drivers *vis a vis* the safety of its passengers are made and implemented in its San Francisco  
23 headquarters. Corporate decision-making with respect to LYFT's decision not to report assaults that they  
24 are aware of to law enforcement and other ride sharing companies that employ the assailants is centered  
25 at LYFT's corporate headquarters in San Francisco. Decisions with respect to the design of the LYFT  
26 App and implementation of changes with the LYFT App that effect passenger safety are made and  
27 implemented in its San Francisco headquarters. Corporate decision-making with respect to LYFT's  
28 policies and procedures to allow reported sexual predators to continue to drive for LYFT is centered at

1 LYFT's corporate headquarters in San Francisco. Decisions regarding LYFT's contract with LYFT  
2 customers specifies that the agreement should be governed by California law. The specific officers,  
3 directors and/or managing agents responsible for the policies and procedures guiding LYFT are centered  
4 at LYFT's corporate headquarters in San Francisco.

### 5 **INADEQUATE SAFETY PRECAUTIONS AND INADEQUATE SCREENING**

6 43. The hiring of LYFT drivers occurs without any real screening. Potential drivers merely fill  
7 out a form online. There is no interview either in person or through a video call, i.e. Skype or FaceTime.  
8 There is no adequate background check and no biometric fingerprinting. Almost all online applicants  
9 become drivers. Once a LYFT applicant becomes a driver, LYFT fails to utilize its own technology,  
10 including in car cameras and GPS tracking, to ensure that drivers keep the camera running during the  
11 entire ride and that the driver remains on course to the passenger's destination.

12 44. LYFT, including LYFT officers, directors and/or managing agents, does not have a zero-  
13 tolerance policy for sexual misconduct and has allowed drivers who have been reported to have  
14 committed rape and sexual assault to continue driving.

15 45. LYFT, including LYFT officers, directors and/or managing agents, does not require non-  
16 harassment training. LYFT does not adequately investigate customer complaints of sexually inappropriate  
17 behavior or serious sexual assaults. Notwithstanding LYFT's history of hiring sexual predators who have  
18 assaulted LYFT passengers, and notwithstanding the obvious and open subculture of LYFT drivers  
19 who harbor a sexual motivation for driving female passengers, LYFT does nothing to warn its female  
20 passengers about this very serious and real danger.

### 21 **LYFT'S FINANCIAL MODEL**

22 46. The key to LYFT's business model is getting as many new LYFT drivers on the road as  
23 possible. The more LYFT drivers and LYFT rides equals more money LYFT makes. Unfortunately, more  
24 careful screening and supervision would result in fewer drivers and lower profits.

25 47. LYFT also has a high turnover among its drivers because they are not well paid and often  
26 move on to other jobs. As a result, and in order to keep the number of drivers on the road at a maximum  
27 level, LYFT's business model is designed to accept as many new drivers as possible and to keep as many  
28 existing drivers working for LYFT as possible. Unfortunately, LYFT, including LYFT officers, directors

1 and/or managing agents, prioritizes profits over passenger safety. That is why LYFT corporate  
2 management has made deliberate decisions to adopt inadequate initial screening procedures, inadequate  
3 safety monitoring, and has failed to warn customers of the dangers of riding with LYFT.

#### 4 **LYFT'S CONTROL OVER ITS DRIVERS**

5 48. LYFT exercises significant control over its drivers. LYFT executives set all of the fare  
6 rates. Drivers have no input on the fares charged and no ability to negotiate fares with customers. Fees  
7 are standardized based on mileage and or ride time, similar to taxis.

8 49. LYFT collects a percentage fee for every ride. LYFT does not charge drivers a fee to  
9 become a LYFT driver and LYFT does not charge drivers to use the LYFT App.

10 50. LYFT drivers are prohibited from answering passenger inquiries about booking rides  
11 outside of the LYFT App.

12 51. LYFT has the power to terminate drivers with or without cause.

13 52. LYFT drivers are expected to accept all ride requests while they are logged into the App.  
14 Drivers who reject or cancel too many ride requests risk facing discipline, including suspension or  
15 termination.

16 53. LYFT provides its drivers with and requires them to use and display LYFT branding  
17 materials in order to make their drivers easily identifiable as LYFT drivers.

18 54. LYFT also allows for passengers to provide comments to LYFT regarding their experience  
19 with the LYFT driver. These comments are not shared with other passengers. Passengers are not provided  
20 with any information regarding their driver other than a photograph, and other basic information about  
21 the car. Passengers are not informed about prior complaints concerning particular drivers.

22 55. Within the App, LYFT does not tell passengers whether their comments regarding drivers  
23 are shared with drivers, resulting in a ride share culture where passengers are fearful that giving honest  
24 negative feedback could negatively impact their passenger star rating or result in retaliation from the  
25 driver.

#### 26 **NO MONITORING OF RIDES**

27 56. Given LYFT's, including LYFT officers, directors and/or managing agents, knowledge of  
28 the sexual assaults and rapes of its customers by LYFT drivers, the company should have implemented a



1 monitoring system in order to protect its passengers. LYFT understands that many assaults occur when  
2 drivers deviate from their route and turn off the ride and App before the passenger destination is reached.  
3 LYFT also knows that assaults are much less likely to occur if drivers understand they are being recorded  
4 or watched. As a transportation and technology company with access to a state-of-the-art in-app tracking  
5 system, as well as a camera within the required mobile device, LYFT could take the following simple  
6 steps towards the elimination of the sexual assaults and protecting their passengers:

- 7 • Adopt a zero-tolerance policy for improper conduct and inform all drivers of the policy;
- 8 • Implement a surveillance camera within the App that can audio and video record all rides and  
9 have footage saved and accessible for up to 72 hours after each ride. Implement rules requiring  
10 drivers to have this system on at all times while in their vehicles.
- 11 • Inform all drivers that if they turn off the surveillance system during a LYFT ride, they will never  
12 drive for LYFT again;
- 13 • Inform drivers that they may not leave the car and accompany a passenger to their home or to any  
14 other location outside the vehicle, other than to provide temporary and time-limited assistance to  
15 a passenger;
- 16 • Modify the functionality of the app so that LYFT can determine immediately if a driver deviates  
17 from these protocols;
- 18 • When a driver goes off course or ends a ride before the destination, a warning alert is sent to the  
19 driver that their location has been mapped and that they should report the reason for the deviation;
- 20 • When a driver goes off course or ends a ride before the destination, a message should be sent to  
21 the passenger checking in on them.

22 57. The ongoing sexual attacks by LYFT drivers are and have long been known to LYFT and  
23 LYFT's officers, directors and/or managing agents. Prior to the assaults on the plaintiffs alleged herein,  
24 LYFT has known that a consequence of its business model has been exposing women, who are using the  
25 business for a safe ride home, to drivers that may take advantage of their vulnerable position. Despite  
26 being a company that holds itself out to the public as being engaged in the safe transportation of its  
27 customers from place to place for compensation, LYFT, at the direction of LYFT's officers, directors  
28 and/or managing agents, has failed to take any reasonable precautions to attempt to prevent harm to its

1 passengers.

2       58.     At the time of the actions alleged in this complaint LYFT, and LYFT's officers, directors  
3 and/or managing agents, was aware of the established occurrence of sexual assault of its female  
4 passengers by its drivers but failed to take any reasonable action to protect its passengers from these  
5 assaults and violations.

6                                   **MISREPRESENTATIONS AS TO SAFETY**

7       59.     In addition to inadequate background check procedures, LYFT affirmatively induces  
8 passengers, particularly young, unaccompanied, intoxicated, and/or vulnerable women, to use its services  
9 with the expectation of safety, while LYFT simultaneously knows that sexual abuse of its passengers has  
10 been prevalent.

11       60.     In February 2015, LYFT's website posted a blog post announcing it had partnered with  
12 *It's On Us*, an anti-sexual assault initiative, and offered free ride credits for new Lyft passengers during  
13 the Spring Break season, "making it easier to get a safe ride home even if you're in a new city." In  
14 November 2016, LYFT's website posted a blog post entitled "Get Home Safely with Lyft," again touting  
15 its partnership with *It's On Us* and offering college students free LYFT rides so that they "don't need to  
16 worry about finding a safe ride after going out." The insinuation of these articles is that LYFT prevents,  
17 and does not create, the risk of sexual assault. Nowhere on LYFT's website does LYFT discuss the  
18 occurrence or risk of sexual assault by LYFT's drivers. As a result, many women, like Plaintiffs, enter  
19 LYFT cars unaccompanied and often after drinking with the expectation that they will not be harassed,  
20 propositioned, kidnapped, attacked, stalked, raped or worse by LYFT's drivers.

21       61.     Further, LYFT does not report statistics about sexual harassment or sexual assault by its  
22 drivers. LYFT does not disclose its policies or procedures on dealing with sexual assault by its drivers.  
23 LYFT does not properly train its customer service representatives on how to deal with serious allegations  
24 of driver misconduct. As a result, passengers who report sexual abuse by a driver have been later matched  
25 with the same driver, and dangerous drivers continue to drive with LYFT and continue to assault  
26 passengers while LYFT profits from their actions. At the time of the attacks on the plaintiffs as alleged  
27 herein, LYFT's guidelines for their drivers made no mention of sexual harassment or assault guidelines.

28       62.     In short, LYFT fails to follow reasonable safety procedures and intentionally induces

1 customers to use LYFT's services while in a vulnerable state. As a result, plaintiffs, and women like  
2 them are sexually harassed and sexually assaulted by LYFT's drivers. Additionally, LYFT does not  
3 inform UBER or other transportation networking companies when they suspend/terminate a driver,  
4 thereby allowing drivers to seamlessly shift from the LYFT App to the UBER App without any  
5 repercussions.

#### 6 **LYFT'S BACKGROUND CHECKS**

7 63. LYFT relies on a quick, name-based background check process to screen its applicant  
8 drivers and has continuously refused to adopt an industry-standard, fingerprint-based background check  
9 qualification process.

10 64. LYFT's background check process requires drivers to submit personal identifiers (driver  
11 license number and Social Security Number) through an online webpage. LYFT, in turn, provides this  
12 information to third-party vendors to perform a basic, name-based background check.

13 65. Neither LYFT nor the third-party vendors it uses for background checks verifies that the  
14 information provided by applicants is accurate or complete. The turnaround time for a LYFT background  
15 check is typically between 3-5 days.

16 66. The difference between name-based background checks and fingerprint-based background  
17 checks is significant. While a name-based background check searches the applicant's reported name  
18 against various databases and compares records that have the same name, a fingerprint-based background  
19 check (or biometric check) uses the fingerprints of the individual to match against a law enforcement  
20 database, comparing records that have the same print, even if the names are different.

21 67. For example, most prospective taxi drivers are required by the taxicab companies to  
22 undergo criminal background checks that require the driver to submit fingerprints through a technology  
23 called "Live Scan." The fingerprint images are used to automatically search against all other fingerprint  
24 images in government criminal record databases, including databases maintained by state law  
25 enforcement and the Federal Bureau of Investigation (FBI). The FBI's database includes criminal record  
26 information from all 50 states, including sex offender registries. If a person has a criminal history  
27 anywhere in the U.S., it will register as a match.

28 68. Fingerprints are not only a highly accurate way to confirm an individual's identity, they

1 are also universally used among state and federal government agencies. This allows for the highest levels  
2 of information-sharing among all relevant agencies, an element that is lacking when fingerprints are not  
3 used to verify identities.

4 69. Because of the unique identifying characteristics of fingerprints, the Live Scan process  
5 provides assurance that the person whose criminal history has been run is, in fact, the applicant. This  
6 would ensure that a convicted rapist or sexual predator could not use a false identification to become a  
7 LYFT driver.

8 70. Name-based background checks, on the other hand, are limited and not easily shared  
9 among the appropriate authorities. These name-based criminal background checks are performed on  
10 publicly available databases and records from county courthouses, which are not linked to each other and  
11 typically do not go back past seven years. Because the FBI database is not accessed, there is no true  
12 national search performed, making these searches incomplete, limited and inaccurate.

13 71. Name-based background checks present systematic, fundamental problems. First, there is  
14 no way to positively identify a person via a biometric indicator, increasing the likelihood of fraud.  
15 Likewise, because names, addresses and birthdays are not unique, the likelihood of false positives (a  
16 person linked in error with another's record) and false negatives (someone getting cleared when they  
17 should not) are greatly increased. For example, if an individual changes names, or for some other reason  
18 has a criminal history under a different name, the name-based checks can miss the individual's criminal  
19 history.

20 72. LYFT, at the direction of LYFT officers, directors and/or managing agents, has refused to  
21 adopt fingerprint-based biometric checks and has in fact spent millions of dollars lobbying against local  
22 regulations requiring these checks.

23 73. Despite advertising to passengers that "Your safety is important" and "Safety is our top  
24 priority," LYFT's background check process is designed for speed, not safety. In refusing to adopt  
25 reasonable safety procedures, LYFT makes clear that its priority is profit, not passenger safety.

26 74. By failing to take reasonable steps to confront the problem of multiple rapes and sexual  
27 assaults of LYFT passengers by LYFT drivers, LYFT and LYFT's officers, directors and/or managing  
28 agents, have acted in conscious disregard of the safety of its passengers, including plaintiffs, and has

1 breached its duty of reasonable care and has breached the implied and express covenants arising from its  
2 contract with its passengers.

3 75. LYFT is legally responsible for the harm to plaintiffs under a number of legal theories  
4 including vicarious liability for the intentional acts of its employees (battery and assault) basic negligence  
5 for failing to act with reasonable care when faced with multiple and ongoing attacks by its drivers, breach  
6 of the non-delegable duty of a transportation company to provide safe passage to its passengers, punitive  
7 damages for the conscious disregard of the safety of its female passengers, intentional and negligent  
8 misrepresentations and breaches of contract, and express and implied covenants arising out of its  
9 commercial contracts with its passengers, including plaintiffs.

10 76. LYFT, at the direction of LYFT's officers, directors and/or managing agents, has  
11 embraced wide ranging policies and procedures that seek to silence victims that have been sexually  
12 assaulted by their drivers.

### 13 **MANDATORY REPORTING OF SEXUAL ASSAULT**

14 77. The benefits, reasoning and rationale for mandatory reporting of sexual assault is  
15 undisputed and well documented. One of the most obvious reasons for the policy of mandatory reporting  
16 of sexual assault is stopping sexual assault and preventing future sexual assault and the lives that can be  
17 destroyed by sexual assault. A policy of mandatory reporting helps stop the predators that commit sexual  
18 assault. Despite the knowledge that adopting a policy of mandatory reporting will help prevent future  
19 assaults and increase passenger safety, LYFT, at the direction of LYFT's officers, directors and/or  
20 managing agents, has adopted a policy that is the opposite of mandatory reporting. LYFT does not report  
21 allegations of rape and brutal sexual assault to the police. Instead, LYFT makes every effort to hide and  
22 conceal these sexual assault reports from law enforcement, the public, media and our courts.

23 78. LYFT understands that their drivers often drive for UBER and other ridesharing  
24 companies. Lyft also understands that sexual predators are likely to continue committing sexual assault.  
25 Despite the knowledge of the benefits of reporting sexual assailants, LYFT does not report sexual assaults  
26 and rapes to law enforcement and does not share information regarding sexual assaults and rapes with  
27 other ridesharing companies despite the knowledge that these drivers are employed by other ridesharing  
28 companies. LYFT, at the direction of LYFT's officers, directors and/or managing agents, has adopted a

1 policy which knowingly chooses to hide and conceal the identities of the drivers that rape and sexually  
2 assault LYFT passengers.

3 79. Any ridesharing company such as LYFT that is concerned about public safety and has  
4 more sexual assaults than almost any other company in US history would adopt a zero-tolerance policy  
5 and have mandatory reporting of sexual assaults to law enforcement and other ride sharing companies.  
6 Instead, LYFT' officers, directors and/or managing agents have chosen to sacrifice the lives of sexual  
7 assault victims in the hope of deriving additional profits.

### 8 **STONEWALLING LAW ENFORCEMENT**

9 80. LYFT's attempts to conceal the problem of the sexual assault crisis is not limited to the  
10 public and media. This effort to conceal from the public extends to LYFT's lack of cooperation with law  
11 enforcement detectives that investigate these cases. LYFT has no policy to report crimes of rape and other  
12 sexual assaults to law enforcement after those crimes are reported to them. Additionally, LYFT has failed  
13 to provide records and documentation regarding sexual predators that have committed multiple assaults  
14 that are critical for law enforcement investigations. The net effect of LYFT's attempts to protect and  
15 conceal the reports of sexual predators from law enforcement is that dangerous sexual predators continue  
16 to rape, sexually assault and ruin lives.

17 81. A responsible and reasonable company that is concerned about public safety cooperates  
18 with law enforcement and shares the public's interest in stopping sexual predators. LYFT, at the direction  
19 of LYFT's officers, directors and/or managing agents, has chosen another path. Lyft delays and restricts  
20 their correspondence with police until a court order/search warrant is authorized. In many cases, LYFT  
21 requires a subpoena or formal legal order to provide information police may need for an investigation.  
22 Many of the assault victims in this complaint have been told by the detectives handling their case that  
23 LYFT's Trust and Safety team are often unresponsive to the detective's requests.

24 82. LYFT often erases the victim's complaint from their App and does not send them a copy  
25 of what they sent to LYFT regarding the assault. In these cases, the victim has no way to access or  
26 retrieve their original complaint about the accused perpetrator which delays the police investigation.

27 83. After a victim has reported a rape or sexual assault, LYFT often disables the victim's  
28 account. This restriction prohibits the victim from accessing key information about their perpetrator

1 including the name, photo, make and model of car, etc. which is needed for law enforcement investigation.  
2 This further hampers law enforcement investigation.

3 84. LYFT does not provide the assaulted passenger with the driver's license plate number  
4 which makes it difficult for law enforcement to identify the subject. Also, after the LYFT ride is  
5 completed, the trip receipt does not list the license plate number or the make/model of the car. It only has  
6 the drivers first name and photo, again making it hard for the police to identify LYFT's drivers.

7 85. LYFT is fully aware of the facts regarding their stonewalling and hampering law  
8 enforcement investigations as described above. LYFT, at the direction of LYFT's officers, directors  
9 and/or managing agents, knowingly protects the sexual predators that drive for them.

10 86. The LYFT ride-hailing platform is a haven for sexual predators preying on vulnerable  
11 women.

### 12 **LYFT POLICY TO SILENCE VICTIMS**

13 87. Many people that are sexually assaulted do not report the incident because of the stigma  
14 attached to sexual assault. Only a minority of courageous people that are sexually assaulted come forward  
15 to report the assault. It is well known that sexual assault victims suffer tremendous mental and  
16 psychological trauma as a result of being victimized by sexual assault. For this reason, any responsible  
17 organization, corporation or entity that takes calls from sexual assault victims should have trauma  
18 informed and trained persons in sexual trauma to handle those calls.

19 88. Despite the hundreds and thousands of calls reporting sexual assault to their company,  
20 LYFT has untrained operators acting as first responders that take the calls from traumatized sexual assault  
21 survivors. These untrained operators have no concept or understanding of how to communicate with a  
22 sexual assault survivor. Oftentimes sexual assault victims get automated and recorded messages. All of  
23 the above is part of LYFT's effort to silence victims.

24 89. In addition to the above allegations, LYFT incorporates other methods to silence victims  
25 that come forward to report sexual assault by their drivers. Oftentimes when a victim comes forward and  
26 reports a sexual assault or rape, LYFT responds by turning off or deactivating the victim's LYFT App.

27 90. When a victim has the courage to come forward to report the assault, LYFT does not tell  
28 the victim to the report the incident to the police or other law enforcement. Rather, LYFT tells the sexual

1 assault victim that they will investigate the incident and get back to them. Unfortunately, LYFT does not  
2 get back to the victim despite their promise to do so. The victim never hears from LYFT about the incident  
3 again.

4 91. LYFT often erases the victim's complaint from their App. LYFT employs all of the above  
5 policies to silence victims.

#### 6 **LYFT RESPONDS INADEQUATELY TO RIDER REPORTS OF SEXUAL ASSAULT**

7 92. LYFT riders who report sexual harassment or sexual assault to LYFT's Trust & Safety  
8 Team are often left feeling no better off than had they not reported at all.

9 93. According to recent media reports, these women, who feel their reports are falling on deaf  
10 ears, are turning to twitter to voice their complaints. Even these reports of sexual assault seem to fall flat  
11 to LYFT who responds to each with the same response: "The safety of our community is our top priority."

12 94. Even if LYFT does respond to a woman who was reported a rape, sexual harassment, or  
13 sexual assault, the response, largely, follows the same script focusing on vague rhetoric about safety being  
14 a top priority. LYFT more often than not, does not tell the victim what steps LYFT conducts in an  
15 investigation, does not tell the victim if there have been other allegations against the same driver, and  
16 does not tell the victim whether the driver has been removed from the platform.

17 95. According to media reports, LYFT employees who work in the Trust & Safety Team  
18 receive approximately two weeks of training, but none of that training dealt with how to speak with  
19 victims of sexual assault or how to handle sexual harassment claims.

20 96. On information and belief, LYFT's 'investigations' into reports of rape and sexual assault  
21 amount to nothing more than following up with the rider and the driver and checking to see if the driver  
22 has any previous complaints against him.

23  
24 97. The results of these 'investigations' are not shared with the reporting victim, law  
25 enforcement, or other ridesharing companies which would not only aid in actual law enforcement  
26 investigations, but would ensure that drivers with a history of rape and sexual assault are not allowed to  
27 continue driving and assaulting additional future victims.

28 ///



**LYFT’S SAFETY MEASURES CONTINUE TO BE INADEQUATE TO PROTECT AGAINST  
SEXUAL ASSAULT AND RAPE IN THEIR VEHICLES**

98. LYFT’s newly enacted safety measures continue to fall short of protecting female passengers from being sexually assaulted by their LYFT driver.

99. In response to previous lawsuits filed against LYFT alleging rape and sexual assault, LYFT’s head of Trust & Safety, Mary Winfield, stated in September “as a platform committed to providing safe transportation, we hold ourselves to a higher standard by designing products and policies to keep out bad actors, make riders and drivers feel safe, and react quickly if and when an incident does occur.”

100. Despite LYFT’s ‘higher standard’ women, including some Plaintiffs herein, continue to be raped and sexually assaulted in LYFT vehicles by LYFT drivers.

101. LYFT’s officers, directors and/or managing agents have still not chosen to implement biometric fingerprint or Live Scan background checks.

102. LYFT’s newly announced standardized protocol for determining whether or not to ban drivers from the platform may pose a continued threat to passengers. The standardized protocol will introduce a black and white decision structure reducing the ability to implement a human judgment call based on a pattern of similar complaints of the same driver.

103. This new standardized protocol for dealing with complaints of sexual assault could, and likely will result in dangerous sexual predators remaining on LYFT’s platform until a more serious incident, like a rape occurs.

**LYFT FAILS TO PARTICIPATE IN TRANSPORTATION NETWORK COMPANY SAFETY  
HEARINGS**

104. On October 16, 2019 at 10:00 AM, the Subcommittee on Highways and Transit of the United States House of Representatives Committee on Transportation and Infrastructure held a hearing entitled “Examining the Future of Transportation Network Companies: Challenges and Opportunities” (“the Hearing”).

105. The aim of the Hearing was to discuss safety challenges and opportunities to protect both rideshare passengers and drivers across the country as well as to discuss legislation that has been proposed

1 to achieve greater safety and regulations of TNCs.

2 106. The Subcommittee on Highways and Transit invited both Uber and LYFT to participate  
3 in the Hearing in order to answer the Subcommittee's questions, and provide the TNC perspective on  
4 safety and regulations.

5 107. Despite the obvious intent of the Subcommittee to increase the safety of rideshare for its  
6 passengers and customers, LYFT refused to meet before the subcommittee. As a result, the  
7 Subcommittee's questions were left unanswered. LYFT refused to appear because passenger and  
8 customer safety is not, and has never been, a priority or concern for LYFT.

9 108. On October 17, 2019, the Subcommittee sent to LYFT a list of questions that went  
10 unanswered and requested LYFT respond, in writing, to become part of the record of the Hearing. Many  
11 of the questions posed to LYFT were regarding LYFT's position of the safety of their passengers:

12 **Public Safety:** The hearing highlighted the growing number of news reports of alleged  
13 assaults on passengers who utilize TNCs. At the hearing, Paul Miller, Legislative Counsel  
14 with the Transportation Alliance, noted that when a taxi driver is involved in an accident or  
15 alleged assault against a passenger, not only are local police on-site but the taxi commission  
16 conducts oversight as well. For TNCs, alleged assaults or crimes are not documented as  
17 TNC-related, even if reported to local authorities. The only comprehensive data source of  
passenger-reported assaults and other incidents against Lyft drivers resides with your  
company.

- 18 4. Do you support making the number of reported crimes perpetrated by drivers  
19 against passengers you have received publicly available?  
20 5. Do you support local authorities tracking incidents that occur on hailed rides in  
21 order to provide law enforcement with better data to inform their public safety  
strategies?  
22 6. Do you track the type and frequency of passenger-reported crimes perpetrated by  
drivers you receive? If not, please explain why.  
23 7. Please provide data on the total number of incidents involving alleged crimes  
24 against riders by drivers you have received, to date, broken down by type.  
25 8. What is your specific process for reviewing alleged incidents of violence, assault, or  
26 harassment reported by Lyft passengers? What is your specific process for  
27 reviewing complaints and alleged incidents by Lyft drivers? What is your specific  
protocol for when and how to refer incidents to law enforcement?

28 ///

1 9. What is your specific protocol to follow up with drivers who have been accused of  
2 harassment, assault, or violence? What is your specific protocol to deactivate a  
3 driver?

4 (Oct. 17, 2019 Subcommittee on Highways and Transit Letter to Logan Green)

5 **THE ATTACKS UPON PLAINTIFFS**

6 **JANE ROE 1**

7 109. On September 26, 2019 plaintiff JANE ROE 1 used the ridesharing service offered by  
8 defendant LYFT and DOES 1 through 100. After a friend of JANE ROE 1 used the LYFT App to summon  
9 a driver, a LYFT driver named Luiz picked up plaintiff JANE ROE 1 within Los Angeles, California.  
10 While in route to JANE ROE 1's destination, plaintiff JANE ROE 1 was sexually assaulted by the above-  
11 named LYFT driver who had responded to her friend's request made through the LYFT App.

12 110. On the evening of September 25, Plaintiff JANE ROE 1 was out with friends after work.  
13 She was with a close friend at a bar in Culver City, Los Angeles, California until approximately 1:30am  
14 on September 26, 2019. Plaintiff JANE ROE 1's friend decided to call for a LYFT to pick Plaintiff JANE  
15 ROE 1 from the bar and take her home. Plaintiff JANE ROE 1 was intoxicated and fell asleep in the back  
16 seat of the LYFT vehicle on the way home. She woke up and recognized that she was in her  
17 neighborhood. The LYFT driver started hitting on her, telling Plaintiff JANE ROE 1 that she was "so  
18 pretty" and "so cute." Plaintiff JANE ROE 1 responded that she was married and showed him her  
19 wedding ring. Plaintiff JANE ROE 1 fell asleep in the backseat again. She woke up and the LYFT driver  
20 was on top of her, with his tongue in her mouth. She shouted "Get off of me! I have to go!" The LYFT  
21 driver jumped out of the car, got back in the front seat, and started driving again. Plaintiff JANE ROE 1  
22 fell in and out of consciousness, and woke up looking out the window and not recognizing where she  
23 was. She was very confused, feeling sick and threw up. About that same time, police lights came on and  
24 pulled the LYFT vehicle over. The driver was arrested at approximately 3:00am. Plaintiff JANE ROE 1  
25 was still confused, and her husband appeared with the police.

26 111. Unbeknownst to Plaintiff JANE ROE 1 at the time of the assault, her husband, Plaintiff  
27 JOHN ROE, was waiting for her to arrive home. He was texting with the friend who summoned the  
28 LYFT vehicle that was supposed to be bringing Plaintiff JANE ROE 1 home. According to the LYFT

1 application, the ride showed that the LYFT driver had dropped Plaintiff JANE ROE 1 off at home.  
2 Plaintiff JOHN ROE went downstairs to see if she had lost her keys and was unable to get in. When he  
3 arrived downstairs he saw the LYFT vehicle with two people in the backseat and started walking towards  
4 it. When he got close, the LYFT driver Luiz jumped into the front seat and sped off. Plaintiff JOHN  
5 ROE realized that the other person in the backseat was his wife, Plaintiff JANE ROE 1 who was passed  
6 out. He immediately called the police.

7 112. Both Plaintiff JOHN ROE and the police were trying to contact LYFT to get information  
8 about the LYFT vehicle so that an All-Points Bulletin could be issued, and police around the city could  
9 search for Plaintiff JANE ROE 1. Despite repeated requests from John Roe and the police, LYFT failed  
10 to provide any information.

11 113. Plaintiff JANE ROE 1 has very little knowledge of what happened to her that night because  
12 of how intoxicated she was. She is unsure the extent of the sexual assault, but underwent a SART exam,  
13 and continues to have tests run to make sure she is healthy.

14 114. LYFT never informed JANE ROE 1 whether this driver continues to drive for LYFT. This  
15 predator may still be driving for LYFT.

16 115. JANE ROE 1 suffers emotional trauma following this assault. She is fearful, anxious, and  
17 suffers from sadness and confusion over this assault. As a result of the assault, she had to undergo medical  
18 procedures. ROE 1's injuries required medical treatment and will require medical treatment in the future.  
19 Plaintiff JANE ROE 1 does not yet know the reasonable value of the past or future medical and incidental  
20 expenses but will prove the value of such losses at the time of trial.

21 116. LYFT's actions were a substantial factor in the harm that JANE ROE 1 suffered. JANE  
22 ROE 1 suffered general damages of pain-and-suffering, including but not limited to emotional distress,  
23 panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment, shame,  
24 mortification, hurt feelings, disappointment, depression and feelings of powerlessness. Additionally  
25 JANE ROE 1 has suffered past lost earnings and will suffer future lost earnings and earning  
26 potential. JANE ROE 1 is entitled to damages for such harm.

27 **JOHN ROE**

28 117. On the evening of September 25, 2019, Plaintiff JOHN ROE was at the home he shares

1 with his wife in Los Angeles, California. He knew that his wife was out with friends and would be home  
2 late. He was expecting her home at approximately 2:00am on the morning of September 26, 2019.

3 118. Plaintiff JOHN ROE was texting with his wife's friend who had called wife a LYFT  
4 vehicle to bring her home as she was intoxicated and could not drive herself. The friend informed JOHN  
5 ROE that the LYFT application showed that his wife had been dropped off at home. It was now shortly  
6 after 2:00am. Plaintiff JOHN ROE became worried that his wife has lost her keys or was unable to get  
7 into their home. He went outside to look for her.

8 119. Upon arriving outside, Plaintiff JOHN ROE was texting with his wife's friend, asking  
9 what kind of vehicle his was should be arriving in. She told JOHN ROE it should be a Hyundai Elantra,  
10 which Plaintiff JOHN ROE believed he saw across the street from their complex. He began walking  
11 towards the vehicle.

12 120. Plaintiff JOHN ROE could see two people in the backseat of the vehicle. When he got  
13 close, one person, later discovered to be the LYFT driver, Luiz, jumped out of the backseat, and into the  
14 front. Plaintiff JOHN ROE then saw that the other person in the vehicle was his wife, Plaintiff JANE  
15 ROE 1. The LYFT driver then sped off with Plaintiff JOHN ROE's wife, Plaintiff JANE ROE 1 still in  
16 the backseat of the vehicle.

17 121. Plaintiff JOHN ROE became incredibly worried and concerned for the safety of his wife.  
18 He suffered anguish, fright, and fear because he was unsure what the LYFT driver intended to do with  
19 his wife, and was scared he may never see his wife again.

20 122. Plaintiff JOHN ROE called the police, who came to the home. The police tried to call  
21 LYFT to get a license plate number for the LYFT vehicle that has driven off with Plaintiff JANE ROE 1.  
22 LYFT would not provide any information that would help the police find Plaintiff JOHN ROE's wife.

23 123. After what seemed like an eternity the police informed Plaintiff JOHN ROE they may  
24 have found the LYFT vehicle. The police took Plaintiff JOHN ROE to identify the vehicle. It was now  
25 approximately 3:00am, and his wife had been missing form nearly 45 minutes. When Plaintiff JOHN  
26 ROE arrived at the scene, he identified the vehicle, and was finally reunited with his wife, who was  
27 intoxicated, and unsure of what was going on. The LYFT driver was arrested.

28 124. As a result of the LYFT driver taking his wife, Plaintiff JOHN ROE suffered severe

1 emotion distress including suffering, anguish, fright, horror, nervousness, grief, anxiety, worry, and  
2 shock. LYFT's actions were a substantial factor in the harm that JOHN ROE 1 suffered. JOHN ROE 1 is  
3 entitled to damages for such harm.

4 **JANE ROE 2**

5 125. On February 10, 2019, plaintiff JANE ROE 2 used the ridesharing service offered by  
6 defendant LYFT and DOES 1 through 100. After JANE ROE 2 used the LYFT App to summon a driver,  
7 a LYFT driver named Oscar D. Salguero picked up plaintiff JANE ROE 2 and while within Worcester  
8 County, Massachusetts and in route to JANE ROE 2's destination, plaintiff JANE ROE 2 was raped by  
9 the above-named LYFT driver who had responded to her request made through the LYFT App.

10 126. JANE ROE 2 was out with a friend and tenant in Millbury, MA, which is within Worcester  
11 County, MA. She had too much to drink, so she called a LYFT at some point between 1:00am and 2:25am  
12 to take her home. The LYFT driver Oscar D. Salguero raped plaintiff in the back seat of the LYFT  
13 vehicle. JANE ROE 2 was in shock and disbelief at what was happening. She thought of her child and  
14 the belief that she was going to be killed and made a split-second decision to fight back. When JANE  
15 ROE 2 began to fight back, the LYFT driver fought back, and the two tumbled out of the car. The LYFT  
16 driver tried to slam his door shut, but JANE ROE 2's arm was in the door. He drove and dragged Jane 2  
17 but was finally able to get away. She was left laying in the street. He also threw her Laptop and purse  
18 into the road and then proceeded to run over them. Her belongings were strewn across the street.

19 127. JANE ROE 2 crawled to a nearby house, and awoke the resident, telling the female  
20 occupant that she was just raped by her LYFT driver. JANE ROE 2 was curled up in the fetal position  
21 on the woman's front porch, crying and terrified. The woman called the police, who arrived to find JANE  
22 ROE inconsolable.

23 128. JANE ROE 2 was taken by the police to have a rape kit done. She was noted to have  
24 bruises and abrasions on her legs during the exam.

25 129. Oscar D. Oswego was charged with rape and incident assault and battery of a person over  
26 14. Ultimately, he pled guilty and was sentenced to prison.

27 130. Plaintiff JANE ROE 2's injuries required medical treatment and will require medical  
28 treatment in the future. Plaintiff JANE ROE 2 does not yet know the reasonable value of the past or future

1 medical and incidental expenses but will prove the value of such losses at the time of trial.

2 131. LYFT's actions were a substantial factor in the harm that JANE ROE 2 suffered. JANE  
3 ROE 2 suffered general damages of pain-and-suffering, including but not limited to emotional distress,  
4 panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment, shame,  
5 mortification, hurt feelings, disappointment, depression and feelings of powerlessness. Additionally,  
6 JANE ROE 2 has suffered past lost earnings and will suffer future lost earnings and earning  
7 potential. JANE ROE 2 is entitled to damages for such harm.

8 **JANE ROE 3**

9 132. On January 25, 2019, plaintiff JANE ROE 3 used the ridesharing service offered by  
10 defendant LYFT and DOES 1 through 100. After JANE ROE 3 used the LYFT App to summon a driver,  
11 a LYFT driver named Conway, last name unknown but to be alleged after discovery in this litigation,  
12 picked up plaintiff JANE ROE 3 and while within Los Angeles, California and in route to JANE ROE  
13 3's destination, plaintiff JANE ROE 3 was raped by the LYFT driver (Conway) who had responded to  
14 her request made through the LYFT App.

15 133. JANE ROE 3 was in Los Angeles, California for a two-week work training. She currently  
16 resides in Prior Lake, Minnesota, and is unfamiliar with Los Angeles. JANE ROE 3 was out with co-  
17 workers at a bar in the Venice area. She was intoxicated, and her co-workers used her LYFT app to  
18 summon a LYFT to take her back to her hotel. When the LYFT vehicle arrived, the co-workers matched  
19 the driver to the picture on the LYFT app. Plaintiff got in the car, but fell asleep while in the vehicle.

20 134. JANE ROE 3 awoke in the LYFT vehicle with a different Lyft driver who was not the  
21 LYFT Driver who was on the LYFT app, or the person who initially picked her up. The new LYFT  
22 driver began telling JANE ROE 3 "you're beautiful" and telling her she was 'pretty' and 'gorgeous.'  
23 JANE ROE 3 began to feel scared, and told the driver she needed to vomit, hoping she could get out of  
24 the vehicle. Instead, when the driver pulled over, he stood in front of the open door, preventing JANE  
25 ROE 3 from escaping, but allowing her to vomit. When they got back in the LYFT vehicle, the driver  
26 began groping JANE ROE 3 and then raped her. The driver pulled the LYFT car over and continued to  
27 rape JANE ROE 3. It was now 12:30am the next morning, January 26, 2019, and JANE ROE 3 was  
28 terrified that she would be killed by this driver, so she remained still.

1           135. After the driver assaulted and raped JANE ROE 3 for some period of time, he stopped at  
2 a gas station. While he was in the gas station, a co-worker called JANE ROE 3, she answered, and said  
3 “I am not okay, I am inside the car with him.” When the driver got back to the car, he instructed JANE  
4 ROE JANE ROE 3’s co-worker to Venmo him money for the ride and texted the co-worker his Venmo  
5 information. The driver finally brought JANE ROE 3 back to her hotel. The trip receipt shows that the  
6 ride terminated 2 minutes after it began, and only 3 blocks had been travelled.

7           136. The driver, who JANE ROE 3 later learned was a man named Lofti Ben Yedder, texted  
8 JANE ROE 3 at approximately 1:40 in the morning, about 14 minutes after he brought her back to the  
9 hotel. He told her “it was a real pleasure meeting you.”

10          137. JANE ROE 3 reported to the assault to LYFT in the morning on January 26, 2019. When  
11 she provided LYFT the phone number of the driver who assaulted her, they found a LYFT account  
12 associated with that number. The person at LYFT that JANE ROE 3 spoke with was unsympathetic and  
13 offered no real help except to refund JANE ROE 3 \$5.79 for her ride.

14          138. Plaintiff JANE ROE 3 went to the police station to report the rape. The police officers  
15 took JANE ROE 3 to get a SART. The criminal investigation is believed to be ongoing.

16          139. Plaintiff JANE ROE 3’s injuries required medical treatment and will require medical  
17 treatment in the future. Plaintiff JANE ROE 3 does not yet know the reasonable value of the past or future  
18 medical and incidental expenses but will prove the value of such losses at the time of trial.

19          140. LYFT’s actions were a substantial factor in the harm that JANE ROE 3 suffered. JANE  
20 ROE 3 suffered general damages of pain-and-suffering, including but not limited to emotional distress,  
21 panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment, shame,  
22 mortification, hurt feelings, disappointment, depression and feelings of powerlessness. Additionally,  
23 JANE ROE 3 has suffered past lost earnings and will suffer future lost earnings and earning  
24 potential. JANE ROE 3 is entitled to damages for such harm.

25 **JANE ROE 4**

26          141. On November 12, 2019, plaintiff JANE ROE 4 used the ridesharing service offered by  
27 defendant LYFT and DOES 1 through 100. After JANE ROE 4 used the LYFT App to summon a driver,  
28 a LYFT driver named Ran, last name unknown but to be alleged after discovery in this litigation, picked



1 up plaintiff JANE ROE 4 and while within Lake Oswego, Oregon, and in route to JANE ROE 4's  
2 destination, plaintiff JANE ROE 4 was sexually assaulted by the LYFT driver (Ran) who had responded  
3 to her request made through the LYFT App.

4 142. Upon arriving to pick up JANE ROE 3, LYFT's driver (Ran) asked her to cancel the ride,  
5 because his LYFT app was not connecting. She was unable to find the app on her phone, so he took her  
6 phone and cancelled the ride himself. When JANE ROE 3 started to get in the back seat, the LYFT  
7 driver told her to get in the front seat. While in route to JANE ROE 3's home, the LYFT driver was  
8 making small talk, telling her about his DJ business. He then reached over and began to sexually assault  
9 JANE ROE 4. JANE ROE 4 was scared, pinned herself against the passenger door. The LYFT driver then  
10 continued to assault JANE ROE 4. During the entire ride, the LYFT driver (Ran) kept telling her how  
11 pretty she was and continued to assault her. When they finally arrived at her house, JANE ROE 4 ran out  
12 of the vehicle and up to her apartment. Before she was even inside, she had a text from the driver saying  
13 to was nice to meet her.

14 143. The following morning, JANE ROE 4 googled the LYFT driver, Ran, and found a string  
15 of complaints about him assaulting other female passengers in his LYFT vehicle.

16 144. JANE ROE 4 reported the sexual assault to LYFT via the LYFT application, telling them  
17 that the LYFT driver had sexually assaulted her. She was informed that her report would be best directed  
18 to a different department, and that her case would be 'forwarded to the appropriate department.' JANE  
19 ROE 4 received a canned response email from LYFT's Trust and Safety team.

20 145. LYFT responded by saying they would need to investigate the driver first. LYFT did not  
21 tell her if they would remove or restrict him from the platform. JANE ROE 4 has not been informed if  
22 any action has been taken to terminate Ran as a driver from LYFT. She has not been told whether LYFT  
23 is aware of any prior reports of sexual assault perpetrated by their driver, Ran. LYFT never informed  
24 JANE ROE 4 whether this driver continues to drive for LYFT. This sexual predator may still be driving  
25 for LYFT.

26 146. Plaintiff JANE ROE 4's injuries required medical treatment and will require medical  
27 treatment in the future. Plaintiff JANE ROE 4 does not yet know the reasonable value of the past or future  
28 medical and incidental expenses but will prove the value of such losses at the time of trial.

1 147. LYFT's actions were a substantial factor in the harm that JANE ROE 4 suffered. JANE  
2 ROE 4 suffered general damages of pain-and-suffering, including but not limited to emotional distress,  
3 panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment, shame,  
4 mortification, hurt feelings, disappointment, depression and feelings of powerlessness. Additionally,  
5 JANE ROE 4 has suffered past lost earnings and will suffer future lost earnings and earning  
6 potential. JANE ROE 4 is entitled to damages for such harm.

7 **JANE ROE 5**

8 148. On or about March 24, 2019, plaintiff JANE ROE 5 used the ridesharing service offered  
9 by defendant LYFT and DOES 1 through 100. JANE ROE 5 received a text message notification that a  
10 Crisis Triage center had requested a LYFT ride for her. A LYFT driver named Nicholas G. Johnson,  
11 picked up plaintiff JANE ROE 5 and while within Nashville, Tennessee and in the parking lot of JANE  
12 ROE 5's destination, plaintiff JANE ROE 5 was sexually assaulted by the above-named LYFT driver  
13 who had responded to the request made through the LYFT App.

14 149. JANE ROE 5 was intoxicated at the time of the incident and scared for her personal safety,  
15 so she was on the phone with a crisis center. The crisis center decided to bring her in to speak with her  
16 in person, and they summoned a LYFT for her. The LYFT driver (Nicholas) made small talk along their  
17 drive to the crisis center, and upon arriving at the final destination, he parked in the parking lot. While  
18 parked, the LYFT driver (Nicholas) pulled out his erect penis and made Plaintiff JANE ROE 5 touch his  
19 penis. A person from the crisis center found the LYFT vehicle in the parking lot, and escorted Plaintiff  
20 JANE ROE 5 into the center. When she arrived inside, the assault was reported to police.

21 150. JANE ROE 5 later reported to LYFT by contacting their corporate office. She received a  
22 voicemail from someone in LYFT's Trust and Safety team, but got no real help, and was given no real  
23 answers. JANE ROE 5 has not been informed whether any action has been taken by LYFT to remove  
24 their driver, Nicholas, from the platform. This predator may still be driving for LYFT.

25 151. In 2009, Nicholas G. Johnson was charged with Aggravated Assault with a Deadly  
26 Weapon, a Felony in Tennessee. Had LYFT done a proper background check this assault would have  
27 been discovered and the driver should never have been allowed to transport Plaintiff JANE ROE 5, or  
28 any other passenger.

1 152. Plaintiff JANE ROE 5's injuries required medical treatment and will require medical  
2 treatment in the future. Plaintiff JANE ROE 5 does not yet know the reasonable value of the past or future  
3 medical and incidental expenses but will prove the value of such losses at the time of trial.

4 153. LYFT's actions were a substantial factor in the harm that JANE ROE 5 suffered. JANE  
5 ROE 5 suffered general damages of pain-and-suffering, including but not limited to emotional distress,  
6 panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment, shame,  
7 mortification, hurt feelings, disappointment, depression and feelings of powerlessness. Additionally,  
8 JANE ROE 5 has suffered past lost earnings and will suffer future lost earnings and earning  
9 potential. JANE ROE 5 is entitled to damages for such harm.

10 **JANE ROE 6**

11 154. On September 22, 2019, plaintiff JANE ROE 6 used the ridesharing service offered by  
12 defendant LYFT and DOES 1 through 100. After JANE ROE 6 used the LYFT App to summon a driver,  
13 a LYFT driver named Francisco, last name unknown but to be alleged after discovery in this litigation,  
14 picked up plaintiff JANE ROE 6 and while within Park City, Utah and in route to JANE ROE 6's  
15 destination, plaintiff JANE ROE 6 was sexually assaulted by the above-named LYFT driver who had  
16 responded to her request made through the LYFT App.

17 155. JANE ROE 6 requested a LYFT vehicle after a night with her friends. While en route to  
18 JANE ROE 6's house, the LYFT driver, Francisco, began sexually assaulting JANE ROE 6. JANE ROE  
19 6 was terrified that the LYFT driver would take her somewhere and rape her, so she did not say a word.  
20 Instead JANE ROE 6 pulled herself as close as possible to the door. When they arrived at her house,  
21 JANE ROE 6 ran out of the car, and into her home. She checked all of the windows and doors to make  
22 sure they were locked, and the LYFT driver could not get in.

23 156. Plaintiff reported the sexual assault to LYFT. She received a scripted response, and an  
24 email refunding her the fare, and giving JANE ROE 6 a \$5.00 credit for being sexually assaulted.

25 157. Plaintiff JANE ROE 6's feared for her life and suffered injuries required medical treatment  
26 and will require medical treatment in the future. Plaintiff JANE ROE 6 does not yet know the reasonable  
27 value of the past or future medical and incidental expenses but will prove the value of such losses at the  
28 time of trial.

1 158. LYFT's actions were a substantial factor in the harm that JANE ROE 6 suffered. JANE  
2 ROE 6 suffered general damages of pain-and-suffering, including but not limited to emotional distress,  
3 panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment, shame,  
4 mortification, hurt feelings, disappointment, depression and feelings of powerlessness. Additionally,  
5 JANE ROE 6 has suffered past lost earnings and will suffer future lost earnings and earning  
6 potential. JANE ROE 6 is entitled to damages for such harm.

7 **JANE ROE 7**

8 159. On June 23, 2019, Plaintiff JANE ROE 7 used the ridesharing service offered by defendant  
9 LYFT and DOES 1 through 100. After JANE ROE 7 used the LYFT App to summon a driver, a LYFT  
10 driver named Shahnawaz, last name unknown but to be alleged after discovery in this litigation, picked  
11 up plaintiff JANE ROE 7 and while within New York, New York and in route to JANE ROE 7's  
12 destination, Plaintiff JANE ROE 7 was sexually assaulted by the above-named LYFT driver who had  
13 responded to her request made through the LYFT App.

14 160. JANE ROE 7 was visiting New York City for the weekend. She was intoxicated and  
15 requested a LYFT to take her to her destination for the evening. While in route to her final destination,  
16 LYFT driver, Shahnawaz pressured Plaintiff JANE ROE 7 for sexual activity. He asked JANE ROE 7  
17 to kiss him, and she said no. The LYFT driver then pulled the car over and climbed into the backseat  
18 with JANE ROE 7. The LYFT driver climbed on top of Plaintiff JANE ROE 7 who was yelling "no"  
19 at him. He persisted in his attempt to fondle, grope and rape JANE ROE 7. She succeeded in fighting  
20 him off and ran from the vehicle.

21 161. JANE ROE 7 reported to LYFT in-app via the 'passenger help bot' feature. LYFT  
22 responded with an automated email stating someone will reach out once they "start the review process."  
23 Two days after the assault, and her report to LYFT, LYFT deactivated JANE ROE 7's LYFT account,  
24 rendering her unable to access her account. Afterward, Plaintiff received a voicemail and email from a  
25 LYFT Trust & Safety representative. Plaintiff returned the call, but no one answered. JANE ROE 7  
26 attempted multiple times to get answers or a response from LYFT, but has not received any answers.  
27 LYFT has not informed JANE ROE 7 whether any action has been taken to remove Shahnawaz from  
28 the LYFT platform. This sexual predator could still be driving for LYFT.

1           162. Plaintiff JANE ROE 7's injuries required medical treatment and will require medical  
2 treatment in the future. Plaintiff JANE ROE 7 does not yet know the reasonable value of the past or  
3 future medical and incidental expenses but will prove the value of such losses at the time of trial.

4           163. LYFT's actions were a substantial factor in the harm that JANE ROE 7 suffered. JANE  
5 ROE 7 suffered general damages of pain-and-suffering, including but not limited to emotional distress,  
6 panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment, shame,  
7 mortification, hurt feelings, disappointment, depression and feelings of powerlessness. Additionally,  
8 JANE ROE 7 has suffered past lost earnings and will suffer future lost earnings and earning  
9 potential. JANE ROE 7 is entitled to damages for such harm.

10 **JANE ROE 8**

11           164. On September 6, 2019, Plaintiff JANE ROE 8 used the ridesharing service offered by  
12 defendant LYFT and DOES 1 through 100. After JANE ROE 8 used the LYFT App to summon a driver,  
13 a LYFT driver named Abdul, last name unknown but to be alleged after discovery in this litigation, picked  
14 up plaintiff JANE ROE 8 and while within Brooklyn and/or New York City, New York and in route to  
15 JANE ROE 8's destination, plaintiff JANE ROE 8 was sexually assaulted by the above-named LYFT  
16 driver who had responded to her request made through the LYFT App.

17           165. JANE ROE 8 had requested a LYFT to take her to a job interview in New York City.  
18 When she entered the LYFT vehicle she was on her cell phone. While on her call, she noticed the LYFT  
19 driver, Abdul, looking at her in the rearview mirror. JANE ROE 8 then noticed that the LYFT driver  
20 began to masturbate. Plaintiff JANE ROE 8 insisted the LYFT driver stop the car and she immediately  
21 exited the vehicle and called the police to be safe.

22           166. Plaintiff JANE ROE 8 also reported the sexual assault to LYFT.

23           167. Plaintiff JANE ROE 8's injuries required medical treatment and will require medical  
24 treatment in the future. Plaintiff JANE ROE 8 does not yet know the reasonable value of the past or future  
25 medical and incidental expenses but will prove the value of such losses at the time of trial.

26           168. LYFT's actions were a substantial factor in the harm that JANE ROE 8 suffered. JANE  
27 ROE 8 suffered general damages of pain-and-suffering, including but not limited to emotional distress,  
28 panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment, shame,

1 mortification, hurt feelings, disappointment, depression and feelings of powerlessness. Additionally,  
2 JANE ROE 8 has suffered past lost earnings and will suffer future lost earnings and earning  
3 potential. JANE ROE 8 is entitled to damages for such harm.

4 **JANE ROE 9**

5 169. On November 30, 2018, Plaintiff JANE ROE 9 used the ridesharing service offered by  
6 defendant LYFT and DOES 1 through 100. After JANE ROE 9 used the LYFT App to summon a driver,  
7 a LYFT driver named Kuder, last known currently unknown but to be alleged after discovery in this  
8 litigation, picked up Plaintiff JANE ROE 9 and while within Cleveland, Ohio and in route to JANE ROE  
9 9's destination, Plaintiff JANE ROE 9 was sexually assaulted by the above-named LYFT driver who had  
10 responded to her request made through the LYFT App.

11 170. JANE ROE 9 called for a LYFT ride home at approximately 11:50pm after arriving back  
12 in Cleveland via Greyhound Bus following a visit to her sister's home in Columbus, Ohio. The LYFT  
13 driver helped JANE ROE 9 put her bags in the trunk, and offered her the front seat. She politely declined,  
14 saying she would sit in the back seat. A few minutes into the ride, the LYFT driver, Kuder, pulled over  
15 on the side of the road where it was very dark. The LYFT driver told JANE ROE 9 that he wanted to have  
16 sex with her. JANE ROE 9 responded that he was being incredibly inappropriate and asked him to take  
17 her to her destination. Instead of taking JANE ROE 9 to her destination, the LYFT driver exited the front  
18 seat and got into the back seat with JANE ROE 9 and sat on top of her, preventing her from leaving. The  
19 LYFT driver began holding and groping JANE ROE 9's breasts and used his fingers to touch her vagina.  
20 The LYFT driver began kissing JANE ROE 9's neck, telling her sexually inappropriate things. JANE  
21 ROE 9 was terrified, thinking that this LYFT driver was going to kill her. She again, very forcefully told  
22 the LYFT driver to take her to her destination. He stopped the assault, and took JANE ROE 9 to her  
23 destination. The driver slapped her bottom hard before leaving.

24 171. JANE ROE 9 reported the assault to LYFT, who acknowledged her report, refunded her  
25 fare, and told her the driver was no longer driving for LYFT. Incredibly, after being told by LYFT that  
26 Kuder would no longer drive for LYFT, JANE ROE 9 spotted the same LYFT driver, Kuder, driving  
27 another passenger with a LYFT sign in his car.

28 172. Plaintiff JANE ROE 9's injuries required medical treatment and will require medical

1 treatment in the future. Plaintiff JANE ROE 9 does not yet know the reasonable value of the past or future  
2 medical and incidental expenses but will prove the value of such losses at the time of trial.

3 173. LYFT's actions were a substantial factor in the harm that JANE ROE 9 suffered. JANE  
4 ROE 9 suffered general damages of pain-and-suffering, including but not limited to emotional distress,  
5 panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment, shame,  
6 mortification, hurt feelings, disappointment, depression and feelings of powerlessness. Additionally,  
7 JANE ROE 9 has suffered past lost earnings and will suffer future lost earnings and earning  
8 potential. JANE ROE 9 is entitled to damages for such harm.

9 **JANE ROE 10**

10 174. On October 16, 2019, Plaintiff JANE ROE 10 used the ridesharing service offered by  
11 defendant LYFT and DOES 1 through 100. After JANE ROE 10 used the LYFT App to summon a driver,  
12 a LYFT driver named Favio de los Santos Santo picked up Plaintiff JANE ROE 10 and while within  
13 Brooklyn, New York and in route to JANE ROE 10's destination, Plaintiff JANE ROE 10 was sexually  
14 assaulted by the LYFT driver (Favio) who had responded to her request made through the LYFT App.

15 175. JANE ROE 10 was picking up some food on October 16, 2019, and requested a LYFT  
16 vehicle through her LYFT app to take her home. While in route to her destination, the LYFT driver,  
17 Favio, pulled his vehicle over and got into the backseat with JANE ROE 10. JANE ROE 10 protested  
18 that her food would get cold. When the LYFT driver, Favio, got into the backseat he requested JANE  
19 ROE 10 perform oral sex on him. She declined, again stating she wanted to go home. The LYFT driver  
20 then asked JANE ROE 10 if he could kiss her. JANE ROE 10 again said no, and that she just wanted to  
21 go home. Instead of taking JANE ROE 10 home the LYFT driver took out his penis and made JANE  
22 ROE 10 look at it. He also took out a picture of another woman and told JANE ROE 10 he wanted to  
23 have a threesome with her and JANE ROE 10. The LYFT driver then started to sexually assault her by  
24 touching and licking JANE ROE 10's breasts. The LYFT driver would not let JANE ROE 10 go until she  
25 called his number.

26 176. JANE ROE 10 reported the assault to the police, who requested she not report to LYFT so  
27 they could investigate. LYFT Driver Favio de los Santos Santo was charged with forcible touching, sexual  
28 abuse in the 3<sup>rd</sup> degree, and harassment.

1 177. Plaintiff JANE ROE 10's injuries required medical treatment and will require medical  
2 treatment in the future. Plaintiff JANE ROE 10 does not yet know the reasonable value of the past or  
3 future medical and incidental expenses but will prove the value of such losses at the time of trial.

4 178. LYFT's actions were a substantial factor in the harm that JANE ROE 10 suffered. JANE  
5 ROE 10 suffered general damages of pain-and-suffering, including but not limited to emotional distress,  
6 panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment, shame,  
7 mortification, hurt feelings, disappointment, depression and feelings of powerlessness. Additionally,  
8 JANE ROE 10 has suffered past lost earnings and will suffer future lost earnings and earning  
9 potential. JANE ROE 10 is entitled to damages for such harm.

10 **JANE ROE 11**

11 179. On August 25, 2019, Plaintiff JANE ROE 11 used the ridesharing service offered by  
12 defendant LYFT and DOES 1 through 100. A LYFT driver by the name of Rajabboy Juraey picked up  
13 Plaintiff JANE ROE 11 and while within Baltimore, Maryland, and in route to Plaintiff JANE ROE 11's  
14 destination, Plaintiff JANE ROE 11 was sexually assaulted by LYFT's driver, Rajabboy Juraey, who had  
15 responded to the request.

16 180. Plaintiff JANE ROE 11 had been out with friends on the evening of August 24, 2019, and  
17 became intoxicated. Just after midnight on August 25, 2019 she decided to request a LYFT to take her to  
18 a friend's house. LYFT's driver, Rajabboy Juraey responded to JANE ROE 11's request through the  
19 LYFT application. ROE 11 was unfamiliar with the area her friend's house was in, but knew it was not  
20 a great part of town. While trying to find the destination, LYFT's driver, Rajabboy Juraey, began  
21 assaulting JANE ROE 11 by grabbing her breasts. She immediately pulled away and began yelling at  
22 him. She was afraid to get out of the car in a neighborhood she was unfamiliar and felt trapped. Shortly  
23 thereafter she was able to get out and run from the vehicle.

24 181. JANE ROE 11 notified LYFT about the assault she experienced once inside. LYFT at  
25 first claimed they were unable to find the ride in question. Lyft later gave her a refund for being sexually  
26 assaulted. LYFT did not tell Plaintiff JANE ROE 11 whether they had taken any action to remove  
27 Rajabboy Juraey from their platform. This predator may still be driving for LYFT.

28 182. Had LYFT performed an adequate background check of Rajabboy Juraey before allowing



1 him to be a LYFT driver, they would have discovered that he had multiple traffic-related violations  
2 including: driving on a suspended license; having no registration; speeding; and a cell phone violation.  
3 As recently as 2017 LYFT's driver, Rajabboy Juraey was driving without a license.

4 183. Plaintiff JANE ROE 11's injuries required medical treatment and will require medical  
5 treatment in the future. Plaintiff JANE ROE 11 does not yet know the reasonable value of the past or  
6 future medical and incidental expenses but will prove the value of such losses at the time of trial.

7 184. LYFT's actions were a substantial factor in the harm that JANE ROE11 suffered. JANE  
8 ROE 11 suffered general damages of pain-and-suffering, including but not limited to emotional distress,  
9 panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment, shame,  
10 mortification, hurt feelings, disappointment, depression and feelings of powerlessness. Additionally,  
11 JANE ROE11 has suffered past lost earnings and will suffer future lost earnings and earning  
12 potential. JANE ROE 11 is entitled to damages for such harm.

13 **JANE ROE 12**

14 185. On December 9, 2018, plaintiff JANE ROE 12 used the ridesharing service offered by  
15 defendant LYFT and DOES 1 through 100. A LYFT driver named John Granillo picked up plaintiff JANE  
16 ROE and while within Glendora, California and in route to Plaintiff JANE ROE 12's destination, Plaintiff  
17 JANE ROE 12 was raped by LYFT's driver (John) who had responded to the request.

18 186. On December 8, 2018 Plaintiff JANE ROE 12 was hanging out with friends at the  
19 University of La Verne. They were hanging out late and drinking, so JANE ROE 12's friends requested  
20 a LYFT to take her back to her home in Glendora, California. LYFT's driver, John Granillo, picked up  
21 Plaintiff JANE ROE after midnight on December 9, 2018.

22 187. During the drive, LYFT's driver, John Granillo, made small talk with Plaintiff JANE ROE  
23 12, who was intoxicated. When they turned onto JANE ROE 12's street, instead of stopping at the  
24 destination, LYFT's driver, John Granillo, drove to the end of the street. He climbed into the backseat of  
25 the vehicle with JANE ROE 12. JANE ROE 12 was confused and upset that the LYFT driver was in the  
26 backseat with her. LYFT's driver, John Granillo, began touching Plaintiff JANE ROE 12's body and  
27 groping her and then raped her. JANE ROE 12 told the LYFT driver that she had to urinate, so she  
28 exited the vehicle and ran home.

1 188. JANE ROE 12 arrived to her home in tears, she called some friends to tell them what had  
2 happened. JANE ROE 12 reported the assault to the police and underwent an SART exam. JANE ROE  
3 12 suffered additional emotional distress by the process of having to report to the police, who she did not  
4 feel treated her as a victim of sexual assault.

5 189. Plaintiff JANE ROE 12's injuries required medical treatment and will require medical  
6 treatment in the future. Plaintiff JANE ROE 12 does not yet know the reasonable value of the past or  
7 future medical and incidental expenses but will prove the value of such losses at the time of trial.

8 190. LYFT's actions were a substantial factor in the harm that JANE ROE 12 suffered. JANE  
9 ROE 12 suffered general damages of pain-and-suffering, including but not limited to emotional distress,  
10 panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment, shame,  
11 mortification, hurt feelings, disappointment, depression and feelings of powerlessness. Additionally,  
12 JANE ROE 12 has suffered past lost earnings and will suffer future lost earnings and earning  
13 potential. JANE ROE 12 is entitled to damages for such harm.

14 **JANE ROE 13**

15 191. On July 18, 2018 Plaintiff JANE ROE 13 used the ridesharing service offered by  
16 Defendant LYFT and DOES 1 through 100. After JANE ROE 13's boyfriend used the LYFT app to  
17 summon a driver, a LYFT driver named David Carter picked up plaintiff JANE ROE 14 and while in or  
18 around Greenberg, Maryland, and in route to JANE ROE 13's destination in Stafford, Virginia, JANE  
19 ROE 13 was kidnapped and raped by LYFT's driver, David Carter, who had responded to the request  
20 made through the LYFT App.

21 192. JANE ROE 13's boyfriend requested a LYFT at approximately 2:01 am to take her to her  
22 home in Virginia. Plaintiff JANE ROE 13 was intoxicated, and did not have her phone with her, leaving  
23 her isolated and alone. Instead of taking JANE ROE 13 to her home in Virginia where her mother was  
24 waiting for her, LYFT's driver terminated the ride early. LYFT's driver took JANE ROE 13 to his own  
25 home, where he raped her. The next morning, LYFT's Driver, David Carter, dumped JANE ROE 13 at  
26 the home of a relative.

27 193. JANE ROE 13 reported the rape to LYFT. In response to JANE ROE 13's report to LYFT,  
28 David Carter was deactivated as a LYFT driver. At some point after he was deactivated as a LYFT driver,

1 JANE ROE 13's mother saw David Carter at a Hertz Hub where he was wearing a pink LYFT shirt  
2 identifying him as a full-time employee of LYFT. Incredibly, LYFT's response to JANE ROE 13's report  
3 of kidnapping and rape was to hire her accused rapist and kidnapper, who was also in the midst of a  
4 criminal investigation, as a full-time employee.

5 194. JANE ROE 13 also reported her kidnapping and rape to the police. The police were able  
6 to get a full confession from David Carter. On March 21, 2019 LYFT driver David Carter was charged  
7 with 2<sup>nd</sup> degree rape, 4<sup>th</sup> degree sex offense, 2<sup>nd</sup> degree assault, 3<sup>rd</sup> degree sex offense, and perverted  
8 practice. On April 23, 2019 David Carter pled guilty to 3<sup>rd</sup> degree sex offense and was sentenced to 10  
9 years in jail, of which all but 18 months and 214 days were suspended. Additionally, LYFT driver David  
10 Carter was ordered to provide a DNA sample and register as a lifetime sex offender.

11 195. During the police investigation, LYFT was not cooperative and was not forthcoming with  
12 information regarding their driver. The State was forced to obtain a court order asking LYFT to produce  
13 all investigative records regarding the rape of JANE ROE 13 and LYFT's driver David Carter.

14 196. Plaintiff JANE ROE 13's injuries required medical treatment and will require medical  
15 treatment in the future. Plaintiff JANE ROE 13 does not yet know the reasonable value of the past or  
16 future medical and incidental expenses but will prove the value of such losses at the time of trial.

17 197. LYFT's actions were a substantial factor in the harm that JANE ROE 13 suffered. JANE  
18 ROE 13 suffered general damages of pain-and-suffering, including but not limited to emotional distress,  
19 panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment, shame,  
20 mortification, hurt feelings, disappointment, depression and feelings of powerlessness. Additionally,  
21 JANE ROE 13 has suffered past lost earnings and will suffer future lost earnings and earning  
22 potential. JANE ROE 13 is entitled to damages for such harm.

23 **BRENDA CHARITY**

24 198. On May 26, 2019, plaintiff BRENDA CHARITY used the ridesharing service offered by  
25 defendant LYFT and DOES 1 through 100. A LYFT driver named Ruben, last name unknown but to be  
26 alleged after discovery in this litigation, picked up plaintiff BRENDA CHARITY after transportation as  
27 arranged through Southeast Transportation. While within Atlanta, Georgia and in route to Plaintiff  
28 BRENDA CHARITY's destination, Plaintiff BRENDA CHARITY was sexually assaulted by LYFT's

1 driver (Ruben) who had responded to the request.

2 199. Plaintiff BRENDA CHARITY got into a LYFT which had been arranged by her  
3 healthcare, to take her to a medical appointment. During the ride, the LYFT driver, Ruben, kept asking  
4 Plaintiff BRENDA CHARITY “Do you feel good? Do you feel good yet?” She assumed he was referring  
5 to her medical appointments. The LYFT driver said he was getting lost, and pulled into a dark  
6 underground parking garage. Plaintiff BRENDA CHARITY was terrified as they pulled in. Once parked,  
7 Ruben climbed over the median and got in the backseat with BRENDA CHARITY. Once in the backseat,  
8 Ruben completely exposed himself to BRENDA CHARITY, taking out his penis. Plaintiff BRENDA  
9 CHARITY, fearing that she would be raped, or killed, decided to lie to the LYFT driver, Ruben. She told  
10 him she had just been diagnosed with HIV in an attempt to scare him. Her plan seemed to work. He  
11 climbed back into the front seat, and drove BRENDA CHARITY to her destination. The LYFT driver,  
12 Ruben, began masturbating in the front seat while driving BRENDA CHARITY to her destination.

13 200. BRENDA CHARITY attempted to report the assault twice to Southeast Transportation,  
14 the company that summoned the LYFT for her.

15 201. Plaintiff BRENDA CHARITY’s injuries required medical treatment and will require  
16 medical treatment in the future. Plaintiff BRENDA CHARITY does not yet know the reasonable value  
17 of the past or future medical and incidental expenses but will prove the value of such losses at the time  
18 of trial.

19 202. LYFT’s actions were a substantial factor in the harm that BRENDA CHARITY suffered.  
20 BRENDA CHARITY suffered general damages of pain-and-suffering, including but not limited to  
21 emotional distress, panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation,  
22 embarrassment, shame, mortification, hurt feelings, disappointment, depression and feelings of  
23 powerlessness. Additionally, BRENDA CHARITY has suffered past lost earnings and will suffer future  
24 lost earnings and earning potential. BRENDA CHARITY is entitled to damages for such harm.

25 **CAROLINE MILLER**

26 203. On September 1, 2019, Plaintiff CAROLINE MILLER used the ridesharing service  
27 offered by defendant LYFT and DOES 1 through 100. After CAROLINE MILLER used the LYFT App  
28 to summon a driver, a LYFT driver named Chadwick Demon Foster picked up plaintiff CAROLINE

1 MILLER and while within Cartersville, Georgia and in route to CAROLINE MILLER's destination in or  
2 around Acworth, Georgia, plaintiff CAROLINE MILLER was raped by LYFT's driver, Chadwick  
3 Demon Foster who had responded to her request made through the LYFT App.

4 204. CAROLINE MILLER requested a LYFT at approximately 2:39 am to take her from a  
5 friend's house to her car, where she had left it earlier in the evening. While in route to her vehicle which  
6 was approximately 35 minutes away, Plaintiff CAROLINE MILLER fell asleep. When she awoke, the  
7 LYFT driver Chadwick Demon Foster was raping and groping her. She immediately pushed his body  
8 away. The LYFT driver stated "I'm taking you to a hotel." Scared for her life, and trying to buy time,  
9 CAROLINE MILLER informed the driver that she had asthma and would need to stop at her car to get  
10 asthma medication. She informed a friend of what was happening, and the friend called the police. When  
11 the LYFT driver took CAROLINE MILLER to her vehicle she pretended to look for her asthma  
12 medication, giving police time to arrive on the scene. When the police arrived at the vehicle, LYFT driver  
13 Chadwick Demon Foster was questioned and arrested.

14 205. CAROLINE MILLER reported the rape to LYFT via a phone call the next day. All LYFT  
15 did was refund her for the ride fare.

16 206. LYFT never informed CAROLINE MILLER whether this driver continues to drive for  
17 LYFT. This sexual predator may still be driving for LYFT.

18 207. Plaintiff CAROLINE MILLER's injuries required medical treatment and will require  
19 medical treatment in the future. Additionally, as a result of her injuries, Plaintiff CAROLINE MILLER  
20 lost her job as a server, she has now had to find alternative employment doing housework. Plaintiff  
21 CAROLINE MILLER does not yet know the reasonable value of the past or future medical and incidental  
22 expenses but will prove the value of such losses at the time of trial.

23 208. LYFT's actions were a substantial factor in the harm that CAROLINE MILLER suffered.  
24 CAROLINE MILLER suffered general damages of pain-and-suffering, including but not limited to  
25 emotional distress, panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation,  
26 embarrassment, shame, mortification, hurt feelings, disappointment, depression and feelings of  
27 powerlessness. Additionally, CAROLINE MILLER has suffered past lost earnings and will suffer future  
28 lost earnings and earning potential. CAROLINE MILLER is entitled to damages for such harm.

1 **TYKAJA HALL**

2 209. Early on the morning of December 31, 2017, plaintiff TYKAJA HALL used the  
3 ridesharing service offered by defendant LYFT and DOES 1 through 100. After TYKAJA HALL's friend  
4 used the LYFT App to summon a driver for the two women, a LYFT driver named Jose Gerardo Lopez  
5 picked up plaintiff TYKAJA HALL and her friend, and after dropping the friend off, and while within  
6 Fridley, Minnesota and in route to TYKAJA HALL's destination, plaintiff TYKAJA HALL was raped  
7 by LYFT's driver, Jose Gerardo Lopez who had responded to the request made through the LYFT App.

8 210. TYKAJA HALL was out with her friends celebrating a birthday. When their evening out  
9 was done, TYJAKA HALL's friend requested a LYFT to take the women home as they were intoxicated  
10 and it was after 2:00am. When the LYFT vehicle arrived at TYKAJA HALL's friend's house, her friend  
11 exited the vehicle, and the driver, Jose Gerardo Lopez offered to take Ms. HALL home for free since it  
12 was close to where he lived. Lyft's driver, Jose Gerardo Lopez, turned the LYFT app off before she got  
13 in the vehicle. LYFT's driver, Jose Gerardo Lopez, asked TYKAJA HALL how her night was, and  
14 offered her alcohol. TYKAJA HALL declined, but LYFT's driver continued pressuring her by talking  
15 about the nice, expensive tequila he had, telling TYKAJA HALL that he wanted her to try it. LYFT's  
16 driver continued to pressure TYKAJA HALL. She noticed the LYFT driver was not driving her in the  
17 direction of her home.

18 211. While LYFT's driver, Jose Gerardo Lopez was driving TYKAJA HALL he reached over  
19 and began touching her breasts. LYFT's driver took TYKAJA HALL's hand and put it on his penis,  
20 trying to get her to masturbate him. TYKAJA HALL was unable to fight Jose Gerardo Lopez off. The  
21 LYFT driver took off TYKAJA HALL's bra, and continued touching and groping her exposed breasts.  
22 He offered to take her to get food, TYKAJA HALL said "no, please take me home." Instead of taking  
23 her home, LYFT's driver pulled over into an empty parking lot, and made TYKAJA HALL get into the  
24 backseat of the LYFT vehicle. Once parked, LYFT's driver got in the backseat with TYKAJA HALL.  
25 Jose Gerardo Lopez then got on top of TYKAJA HALL and raped her. TYKAJA HALL pleaded with  
26 him to take her home. In an effort to end the sexual assault, TYKAJA HALL urinated in the backseat of  
27 the LYFT vehicle. Finally, approximately two to three hours after the LYFT ride began, LYFT's driver  
28 dropped TYKAJA HALL off at her home.

1           212. When TYKAJA HALL arrived home she crawled into a window in the back of her home  
2 so that the LYFT drive would not see which house she entered. TYKAJA HALL was crying and  
3 inconsolable in a bathtub when her sister found her. TYKAJA HALL managed to articulate that she had  
4 been raped by the LYFT driver, so her sister and mother called the police, who came and began an  
5 investigation. TYKAJA was confident that she was also drugged by the Lyft driver.

6           213. On January 8, 2018, police obtained a search warrant to search the LYFT vehicle of Jose  
7 Gerardo Lopez, which the police executed on January 9, 2018. The search warrant revealed the type of  
8 habitual perpetrators that drive LYFT vehicles. During the search of the vehicle, police found at least  
9 three bottles of fruity flavored alcohol, including a bottle of tequila, small paper cups, and numerous  
10 condoms. Police stated that it looked that this type of incident had been done many times prior.

11           214. On February 4, 2019, LYFT's driver, Jose Gerardo Lopez was found guilty of criminal  
12 sexual assault in the fourth degree.

13           215. Plaintiff TYKAJA HALL's injuries required medical treatment and will require medical  
14 treatment in the future. Plaintiff TYKAJA HALL does not yet know the reasonable value of the past or  
15 future medical and incidental expenses but will prove the value of such losses at the time of trial.

16           216. LYFT's actions were a substantial factor in the harm that TYKAJA HALL suffered.  
17 TYKAJA HALL suffered general damages of pain-and-suffering, including but not limited to emotional  
18 distress, panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment,  
19 shame, mortification, hurt feelings, disappointment, depression and feelings of  
20 powerlessness. Additionally, TYKAJA HALL has suffered past lost earnings and will suffer future lost  
21 earnings and earning potential. TYKAJA HALL is entitled to damages for such harm.

22 **INGRID FERREIRA**

23           217. On September 25, 2019, Plaintiff INGRID FERREIRA used the ridesharing service  
24 offered by defendant LYFT and DOES 1 through 100. After INGRID FERREIRA used the LYFT App  
25 to summon a driver, a LYFT driver named David, last name unknown but to be alleged after discovery  
26 in this litigation, picked up plaintiff INGRID FERREIRA and while within Newark, New Jersey and in  
27 route to INGRID FERREIRA's destination, plaintiff INGRID FERREIRA was sexually assaulted by  
28 1LYFT's driver (David) who had responded to her request made through the LYFT App.

1           218. Plaintiff INGRID FERREIRA had just finished her shift at her job as a waitress, and she  
2 and a co-worker split a LYFT to take them both home at approximately 10:40pm. The co-worker's stop  
3 was first, and after she got out, INGRID FERREIRA, knowing she still had approximately 20 minutes  
4 before she reached her home, put in earbuds with loud music. At different points in the ride, the LYFT  
5 driver (David) tapped INGRID FERREIRA on the leg, first to offer her water, which she accepted, and  
6 next to offer her pizza, which she declined. She resumed listening to music and looking at her phone.  
7 While looking at her phone, INGRID FERREIRA noticed the car had not been moving for a few minutes.  
8 LYFT's driver had stopped in the right lane of traffic at a cross street, but there was no stop light or stop  
9 sign there. INGRID FERREIRA realized it was now past the time that she should have reached her  
10 destination, and she asked LYFT's driver if everything was okay, he responded that the GPS had stopped  
11 working but that he was retrying his app. The car remained still for a few more minutes and INGRID  
12 FERREIRA noticed LYFT's driver scrolling through his phone, and saw his shoulder moving up and  
13 down. A few minutes later LYFT's driver began driving again and they reached INGRID FERREIRA's  
14 destination. When the LYFT vehicle stopped, INGRID FERREIRA began gathering her belongings, and  
15 tried to open the door, but it was locked and she did not see a mechanism to unlock the door from the  
16 backseat. LYFT's driver (David) then turned his whole body toward INGRID FERREIRA, his penis was  
17 out and exposed to her and he was driving. LYFT's driver told INGRID FERREIRA that he wanted to  
18 take her out. INGRID FERREIRA grabbed her cell phone and called her husband, who was inside the  
19 house. This caused the LYFT driver to put his penis back in his pants and unlock the door. INGRID  
20 FERREIRA grabbed her belonging and got out of the vehicle, but LYFT's driver (David) got out, began  
21 to approach her and tried to put his hands on her. INGRID FERREIRA's husband was now walking  
22 towards the vehicle and LYFT's driver (David) jumped in the car and sped away quickly, with the  
23 backdoor still open.

24           219. INGRID FERREIRA and her husband reported the incident to the Newark Police  
25 Department.

26           220. Plaintiff INGRID FERREIRA's injuries required medical treatment and will require  
27 medical treatment in the future. Plaintiff INGRID FERREIRA does not yet know the reasonable value  
28 of the past or future medical and incidental expenses but will prove the value of such losses at the time



1 of trial.

2 221. LYFT's actions were a substantial factor in the harm that INGRID FERREIRA suffered.  
3 INGRID FERREIRA suffered general damages of pain-and-suffering, including but not limited to  
4 emotional distress, panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation,  
5 embarrassment, shame, mortification, hurt feelings, disappointment, depression and feelings of  
6 powerlessness. Additionally, INGRID FERREIRA has suffered past lost earnings and will suffer future  
7 lost earnings and earning potential. INGRID FERREIRA is entitled to damages for such harm.

8 **ERIN MARSHALL**

9 222. On March 16, 2018 Plaintiff ERIN MARSHALL used the ridesharing service offered by  
10 defendant LYFT and DOES 1 through 100. After ERIN MARSHALL used the LYFT App to summon a  
11 driver, a LYFT driver named Joshua Kyam Quaid picked up plaintiff ERIN MARSHALL and while  
12 within Tucson, Arizona and in route to ERIN MARSHALL's destination, plaintiff ERIN MARSHALL  
13 was raped by LYFT's driver (Joshua) who had responded to her request made through the LYFT App.

14 223. Plaintiff ERIN MARSHALL had been out at a bar and because she was intoxicated,  
15 decided to take a LYFT home. LYFT's driver, Joshua Kyam Quaid, responded to the request made via  
16 the LYFT application, and picked ERIN MARSHALL up. ERIN MARSHALL and the LYFT driver  
17 engaged in some small talk, and ERIN MARSHALL was distracted and did not notice that they were not  
18 driving towards her destination. LYFT's driver pulled the LYFT vehicle over in a dark area, and climbed  
19 into the backseat with ERIN MARSHALL, who was confused and disoriented. LYFT's driver, Joshua,  
20 took advantage of plaintiff ERIN MARSHALL's state, he groped and then raped her. ERIN  
21 MARSHALL told LYFT's driver "I don't want to do this; I want to go home." LYFT's driver (Joshua)  
22 got back in the front seat, and ERIN MARSHALL thought he was taking her home, however they were  
23 still going in the wrong direction. ERIN MARSHALL threatened to throw herself out of the vehicle in  
24 order to get LYFT's driver (Joshua) to take her home.

25 224. Immediately upon arriving home, ERIN MARSHALL explained what happened to her  
26 then husband, who took her to the hospital to have a SART and called LYFT to report the driver.

27 225. LYFT's driver Joshua was arrested and charged with kidnapping and sexual assault. On  
28 September 20, 2019 LYFT's driver Joshua pled guilty.

1           226. Plaintiff ERIN MARSHALL's injuries required medical treatment and will require  
2 medical treatment in the future. Plaintiff ERIN MARSHALL does not yet know the reasonable value of  
3 the past or future medical and incidental expenses but will prove the value of such losses at the time of  
4 trial.

5           227. LYFT's actions were a substantial factor in the harm that ERIN MARSHALL suffered.  
6 ERIN MARSHALL suffered general damages of pain-and-suffering, including but not limited to  
7 emotional distress, panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation,  
8 embarrassment, shame, mortification, hurt feelings, disappointment, depression and feelings of  
9 powerlessness. Additionally, ERIN MARSHALL has suffered past lost earnings and will suffer future  
10 lost earnings and earning potential. ERIN MARSHALL is entitled to damages for such harm.

11 **HANNAH WELLS**

12           228. On September 7, 2019, Plaintiff HANNAH WELLS used the ridesharing service offered  
13 by defendant LYFT and DOES 1 through 100. After HANNAH WELLS used the LYFT App to summon  
14 a driver, a LYFT driver named Nabaz, last name unknown but to be alleged after discovery in this  
15 litigation, picked up plaintiff HANNAH WELLS and while within Atlanta, Georgia and in route to  
16 HANNAH WELLS' destination, plaintiff HANNAH WELLS was sexually assaulted by LYFT's driver  
17 (Nabaz) who had responded to her request made through the LYFT App.

18           229. Plaintiff HANNAH WELLS requested a LYFT at approximately 2:55am. She got in the  
19 backseat of the vehicle like she would normally do. LYFT's driver (Nabaz) asked HANNAH WELLS to  
20 get in the front seat instead, and he pulled over to allow her to move up. During the drive, LYFT's driver  
21 (Nabaz) commented multiple times about how beautiful HANNAH WELLS was. She said 'thank you'  
22 so as not to be rude, but HANNAH WELLS felt uncomfortable. Once the LYFT vehicle got on the  
23 highway, LYFT's driver (Nabaz) put his arm on the back of the passenger seat that HANNAH WELLS  
24 was sitting in, she asked him why he did this, and to remove his arm from her seat. LYFT's driver  
25 continued to compliment HANNAH WELLS' beauty, he began to touch and sexually assault her when  
26 they stopped at a stop light. HANNAH WELLS called another person so that they could hear the ride in  
27 hope that the assaults would end.

28           230. HANNAH WELLS reported the assault to LYFT who refunded her the ride fare and gave

1 her a \$25.00 ride credit. LYFT did not tell HANNAH WELLS whether any investigation into NABAZ  
2 had taken place or was planned, or whether he had been removed from the platform as a LYFT driver.  
3 This sexual predator could still be driving for LYFT.

4 231. Plaintiff HANNA WELLS' injuries required medical treatment and will require medical  
5 treatment in the future. Plaintiff HANNAH WELLS does not yet know the reasonable value of the past  
6 or future medical and incidental expenses but will prove the value of such losses at the time of trial.

7 232. LYFT's actions were a substantial factor in the harm that HANNAH WELLS suffered.  
8 HANNAH WELLS suffered general damages of pain-and-suffering, including but not limited to  
9 emotional distress, panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation,  
10 embarrassment, shame, mortification, hurt feelings, disappointment, depression and feelings of  
11 powerlessness. Additionally, HANNAH WELLS has suffered past lost earnings and will suffer future  
12 lost earnings and earning potential. HANNAH WELLS is entitled to damages for such harm.

13 **FIRST CAUSE OF ACTION**

14 **STRICT PRODUCT LIABILITY BASED ON DESIGN DEFECT OF THE LYFT**  
15 **RIDESHARING APP AND FAILURE OF THE LYFT APP TO MEET MINIMUM**  
16 **REASONABLE CONSUMER SAFETY EXPECTATIONS)**

17 **(Alleged Against Defendant LYFT and DOES 1 through 100)**

18 233. Plaintiffs incorporate by reference all of the allegations in paragraphs 1 through 232 as  
19 though fully stated in this cause of action.

20 234. Defendant LYFT manufactured and distributed the LYFT App.

21 235. In each case where a Plaintiff was sexually assaulted, the LYFT App did not perform as  
22 safely as an ordinary consumer would have expected it to perform when used or misused in an intended  
23 or reasonably foreseeable way, because the LYFT App falsely led each Plaintiff to form a reasonable  
24 minimum safety expectation that was not met.

25 236. In each case where a Plaintiff was sexually assaulted, the Plaintiff was harmed.

26 237. In each case where a Plaintiff was sexually assaulted, the LYFT App's failure to  
27 communicate to the Plaintiff a true expectation of the lack of safety in use of the LYFT App was a  
28 substantial factor in causing harm to the Plaintiff.

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249. Defendant LYFT was negligent in designing and manufacturing the LYFT App.

250. In each case where a Plaintiff was sexually assaulted, the Plaintiff was.

251. Defendant LYFT's negligence was a substantial factor in causing the harm suffered by each Plaintiff.

#### **FOURTH CAUSE OF ACTION**

**NEGLIGENCE BASED ON FAILURE TO WARN OF THE DESIGN DEFECTS OF THE  
LYFT RIDSHARING APP**

**(Alleged Against Defendant LYFT and DOES 1 through 100)**

252. Plaintiffs incorporate by reference all of the allegations in paragraphs 1 through 251 as though fully stated in this cause of action.

253. Each Plaintiff herein claims that defendant LYFT was negligent by not using reasonable care to warn about facts that made the LYFT App likely to be dangerous.

254. Defendant LYFT designed and manufactured the LYFT App.

255. Defendant LYFT knew or reasonably should have known that the LYFT App was dangerous or likely to be dangerous when used or misused in a reasonably foreseeable manner.

256. Defendant LYFT knew or reasonably should have known that users such as each of these ROE plaintiffs would not realize the danger.

257. Defendant LYFT failed to adequately warn of the danger.

258. A reasonable manufacturer and reasonable distributor under the same or similar circumstances would have warned of the danger.

259. In each case where a Plaintiff was sexually assaulted, the Plaintiff was harmed.

260. Defendant LYFT's failure to warn was a substantial factor in causing the harm suffered by each Plaintiff.

### FIFTH CAUSE OF ACTION

**NEGLIGENCE BASED ON FAILURE TO RECALL OR RETROFIT THE LYFT  
RIDESHARING APP**

**(Alleged Against Defendant LYFT and DOES 1 through 100)**

261. Plaintiffs incorporate by reference all of the allegations in paragraphs 1 through 260 as

1 though fully stated in this cause of action.

2 262. Defendant LYFT designed the LYFT App.

3 263. Defendant LYFT knew or reasonably should have known that the LYFT App was  
4 dangerous or was likely to be dangerous when used in a reasonably foreseeable manner.

5 264. Defendant LYFT became aware of this defect after the LYFT App was designed,  
6 manufactured, and distributed.

7 265. Defendant LYFT failed to recall or retrofit or warn of the danger of the LYFT App.

8 266. A reasonable manufacturer and distributor under the same or similar circumstances would  
9 have recalled or retrofitted or both recalled and retrofitted the LYFT App.

10 267. In each case where a Plaintiff was sexually assaulted, the Plaintiff was harmed.

11 268. Defendant LYFT's failure to recall or retrofit the LYFT App was a substantial factor in  
12 causing the harm suffered by each Plaintiff.

13 **SIXTH CAUSE OF ACTION**

14 **INTENTIONAL MISREPRESENTATIONS ABOUT THE LYFT RIDESHARING APP**

15 **(Alleged Against Defendant LYFT and DOES 1 through 100)**

16 269. Plaintiffs incorporate by reference all of the allegations in paragraphs 1 through 268 as  
17 though fully stated in this cause of action.

18 270. Defendant LYFT represented to each Plaintiff that it was true that the LYFT App was safe  
19 to use and would provide a safe experience.

20 271. Defendant LYFT's representation was false.

21 272. Defendant LYFT knew that the representation was false when it made it or at a minimum  
22 knew that it made the representation recklessly and without regard for its truth.

23 273. Defendant LYFT intended that each Plaintiff rely on the representation.

24 274. Each Plaintiff reasonably relied on defendant LYFT's representation.

25 275. In each case where a Plaintiff was sexually assaulted, the Plaintiff was harmed.

26 276. In each case where a Plaintiff was sexually assaulted, the Plaintiff's reliance on defendant  
27 LYFT's representation was a substantial factor in causing the harm suffered by each Plaintiff.

28 ///

1 **SEVENTH CAUSE OF ACTION**

2 **CONCEALMENT OF THE RISKS INHERENT IN USE OF THE LYFT RIDESHARING APP**

3 **(Alleged Against Defendant LYFT and DOES 1 through 100)**

4 277. Plaintiffs incorporate by reference all of the allegations in paragraphs 1 through 276 as  
5 though fully stated in this cause of action.

6 278. Defendant LYFT intentionally failed to disclose to each Plaintiff the fact that the LYFT  
7 App was defective in its design and manufacture, was not safe to use as defendant LYFT otherwise  
8 represented, and posed risks and dangers of which defendant LYFT was aware at the time it designed,  
9 manufactured, and distributed the LYFT App.

10 279. Defendant LYFT disclosed some facts to each Plaintiff, asserting that there supposedly  
11 were safeguards in place, but intentionally failed to disclose other facts about the risks and potential  
12 dangers, making the disclosures that defendant LYFT did make incomplete and deceptive.

13 280. Defendant LYFT intentionally failed to disclose certain facts about the risks and potential  
14 dangers that were known only to it and that each Plaintiff could not have discovered in the ordinary course  
15 of downloading and using the LYFT App.

16 281. Each Plaintiff did not know of the concealed facts.

17 282. Defendant LYFT intended to deceive each Plaintiff by concealing the facts.

18 283. Had the omitted information been disclosed, each Plaintiff reasonably would have behaved  
19 differently.

20 284. In each case where a Plaintiff was sexually assaulted, the Plaintiff was harmed.

21 285. Defendant LYFT's concealment was a substantial factor in causing the harm suffered by  
22 each Plaintiff.

23 **EIGHTH CAUSE OF ACTION**

24 **NEGLIGENT MISREPRESENTATION ABOUT THE LYFT RIDESHARING APP**

25 **(Alleged Against Defendant LYFT and DOES 1 through 100)**

26 286. Plaintiffs incorporate by reference all of the allegations in paragraphs 1 through 285 as  
27 though fully stated in this cause of action.

28 287. Defendant LYFT represented to each Plaintiff that it was true that the LYFT App would

1 provide for a safe ridesharing experience.

2 288. Defendant LYFT's representation was not true.

3 289. Although defendant LYFT may have honestly believed that the representation was true,  
4 defendant LYFT had no reasonable grounds for believing the representation was true when it made it.

5 290. Defendant LYFT intended that each Plaintiff rely on this representation.

6 291. Each Plaintiff reasonably relied on defendant LYFT's representation.

7 292. In each case where a Plaintiff was sexually assaulted, the Plaintiff was harmed.

8 293. Each Plaintiff's reliance on defendant LYFT's representation was a substantial factor in  
9 causing the harm suffered by each Plaintiff.

## 10 **NINTH CAUSE OF ACTION**

### 11 **NEGLIGENT HIRING, SUPERVISION, AND RETENTION**

#### 12 **(Alleged Against Defendant LYFT and DOES 1 through 100)**

13 294. Plaintiffs incorporate by reference all of the allegations in paragraphs 1 through 293 as  
14 though fully stated in this cause of action.

15 295. Defendant LYFT and DOES 1 through 100, inclusive hired each LYFT DRIVER.

16 296. LYFT's hiring of the LYFT DRIVERS was mostly automated, after each LYFT DRIVER  
17 merely filled out some short forms online, uploaded photos of a driver license, vehicle registration and  
18 proof of vehicle insurance.

19 297. At the time each LYFT DRIVER applied to drive for LYFT, LYFT was not performing  
20 adequate background checks for its drivers. After minimal information was provided to LYFT, each  
21 LYFT DRIVER was hired and engaged as a LYFT driver.

22 298. LYFT did not interview, check the references of, provide training to, or advise any LYFT  
23 DRIVER of any anti-sexual assault policies when hiring him. LYFT had no reasonable basis for believing  
24 that any LYFT DRIVER was fit to drive or interact with passengers, and LYFT failed to use reasonable  
25 care in determining whether a LYFT DRIVER was fit for those tasks. LYFT should have known of each  
26 LYFT DRIVER's unfitness but failed to use reasonable care to discover the DRIVER's unfitness and  
27 incompetence.

28 299. Despite failing to reasonably endeavor to investigate each LYFT DRIVER's competence



1 to transport and interact with passengers in a moving vehicle, LYFT employed each LYFT DRIVER.

2 300. LYFT knew or should have known that assigning to an inadequately screened driver the  
3 task of transporting vulnerable customers late at night created an unreasonable risk of harm to LYFT's  
4 passengers, including each plaintiff herein, particularly when LYFT had been on notice of the string of  
5 sexual assaults committed by LYFT's drivers.

6 301. Each LYFT DRIVER was and/or became unfit to perform the work for which he was  
7 HIRED as he improperly and illegally took advantage of LYFT's passengers, including each plaintiff  
8 JANE ROE herein, when each attempted to use the service for a safe ride, sometimes after drinking,  
9 thereby causing each Plaintiff psychological and physical harm.

10 302. Because of each LYFT DRIVER's unfitness to perform the task of transporting each  
11 Plaintiff, each Plaintiff was sexually harassed, assaulted and/or stalked, causing her to fear for her  
12 personal safety.

13 303. LYFT and inclusively DOES 1 through 100's negligence in hiring, retaining, and or  
14 supervising each LYFT DRIVER caused each plaintiff to be sexually harassed, assaulted and/or stalked.

15 304. As a direct and legal result of LYFT's general negligence, each Plaintiff has suffered  
16 general non-economic damages according to proof.

17 **TENTH CAUSE OF ACTION**

18 **COMMON CARRIER NEGLIGENCE**

19 **(Alleged Against Defendant LYFT and DOES 1 through 100)**

20 305. Plaintiffs incorporate by reference all of the allegations in paragraphs 1 through 304 as  
21 though fully stated in this cause of action.

22 306. LYFT provides prearranged transportation services for compensation using an online  
23 enabled application or platform to connect passengers with drivers. Consequently, LYFT is a  
24 Transportation Network Company as defined by California Public Utilities Code Section 5431c.

25 307. LYFT provides transportation through a digital application made available to the general  
26 public for the purpose of transporting its users, the passengers, from place to place for profit. LYFT has  
27 widely offered its services to the general public and charges standard fees for its services through its  
28 application. LYFT does not allow discrimination against passengers on the basis of race, color, national

1 origin, religion, gender, gender identity, physical or mental disability, medical  
2 condition, marital status, age, or sexual orientation. Any member of the public can use LYFT's services  
3 for transportation.

4 308. As a common carrier, LYFT must carry its passengers, including Plaintiffs, safely.

5 309. LYFT has a duty to employ the utmost degree of care and diligence that would be expected  
6 of a very cautious company. LYFT has a duty to do all that human care, vigilance, and foresight  
7 reasonably can do under the circumstances to avoid harm to passengers, including plaintiffs.

8 310. LYFT must use reasonable skill to provide everything necessary for safe transportation, in  
9 view of the transportation used and the practical operation of the business.

10 311. Despite complaints to LYFT of sexual assaults committed by LYFT drivers and lawsuits  
11 against LYFT for sexual assault, LYFT, at the direction of its managing agents, executives and officers,  
12 has failed to implement safety precautions that would address the sexual assault problem.

13 312. LYFT does not provide a consistent and reliable way for passengers to report sexual abuse  
14 and rape.

15 313. LYFT does not warn passengers, including Plaintiffs, of the dangers of riding with LYFT  
16 and fails to warn passengers, including Plaintiffs, of past complaints regarding LYFT drivers.

17 314. LYFT does not have an effective program in place to deal with the sexual predator crisis  
18 posed by some of its drivers.

19 315. LYFT knows that its female passengers are in a uniquely vulnerable situation enclosed in  
20 a moving vehicle and that a subset of its drivers are sexual predators.

21 316. LYFT, at the direction of its managing agents, executives and officers, has not exercised  
22 reasonable care to protect its passengers, including Plaintiffs, from harassment, assault, and rape by  
23 LYFT's drivers.

24 317. LYFT, at the direction of its managing agents, executives and officers, has not exercised  
25 the utmost degree of care in order to protect its passengers, including Plaintiffs, from the danger posed  
26 by sexual predators who drive for LYFT. If LYFT had used the highest degree of care, LYFT could have  
27 prevented or dramatically reduced the likelihood of the sexual assaults of its passengers, including  
28 plaintiffs.



1 managing agents, executives and officers, does not take reasonable steps to protect its passengers or warn  
2 them of the dangers of riding with LYFT. LYFT,  
3 and not the victims of LYFT's negligence, should bear the costs of injuries that result from torts such as  
4 sexual assault, kidnapping and rape.

5 327. LYFT drivers are employees. LYFT reserves the right to control the activities of LYFT  
6 DRIVERS. LYFT controls the prices charged to customers, controls contact with the customer base,  
7 controls the ability of a driver to see where he will be driving before he accepts a ride, and reserves the  
8 right to terminate drivers with or without cause.

9 328. LYFT drivers' acts of sexual harassment and sexual assault of each of the plaintiff JANE  
10 ROEs occurred within the scope of employment and/or authority of each of the LYFT drivers. The  
11 kidnapping, assault, rape and other forms of sexual conduct committed against each Plaintiff, whether  
12 sober or intoxicated, whether accompanied or unaccompanied, was committed against a woman who had  
13 been placed in an improperly screened LYFT driver's car with little to no supervision. Each such incident  
14 was incidental to and a foreseeable result of the act of transporting customers.

15 329. LYFT may maintain that its drivers are contractors and not employees. Nevertheless,  
16 whether the LYFT drivers are characterized as contractors, employees or agents, LYFT has a non-  
17 delegable duty to connect customers with safe transportation.

18 330. The doctrine of nondelegable duty recognizes when one party owes a duty to another  
19 which, for public policy reasons, cannot be delegated. It operates to ensure that when a harm occurs, the  
20 injured party will be compensated by the party whose activity caused the harm and who may therefore  
21 properly be held liable for the acts of his agent, whether the agent was an employee or an independent  
22 contractor. The doctrine recognizes that an entity may not delegate its duties to a contractor in order to  
23 evade its own responsibilities. This is especially so when allowing delegation would incentivize the  
24 employers to hire incompetent contractors in order to further the employer's pecuniary interests.

25 331. In advertising to customers, including Plaintiffs, that LYFT provides them a safe ride to  
26 their destinations and by profiting off of women who use LYFT for that very purpose and are attacked,  
27 LYFT has a duty to its customers that cannot be delegated. To allow LYFT to delegate the liability for  
28 the assaults by its drivers to anyone else would encourage LYFT to continue to utilize the cheapest,

1 fastest, and most haphazard safety procedures. LYFT would be disincentivized from hiring only  
2 competent drivers, since the more drivers LYFT has, the more money LYFT makes.

3 332. Further, LYFT drivers act as agents of and operate as extensions of LYFT. LYFT drivers  
4 represent LYFT's business and further LYFT's pecuniary interests.

5 333. LYFT drivers display the LYFT logo when interacting with customers, and in many cases  
6 LYFT drivers are the only people with whom LYFT's customers have direct contact. LYFT drivers  
7 provide the service that LYFT claims to provide, namely, transportation.

8 334. By allowing LYFT drivers to represent LYFT's business, LYFT creates the impression  
9 that its drivers, including the LYFT drivers involved as tortfeasors herein, were LYFT's employees and/or  
10 agents.

11 335. Each JANE ROE plaintiff herein reasonably believed that her LYFT driver was an  
12 employee or agent of LYFT, and, relying on this belief, each JANE ROE plaintiff hired each respective  
13 LYFT driver and suffered harm as a result of her contact with each respective LYFT DRIVER.

14 336. For these reasons and others, LYFT is vicariously liable for the tortious acts of its drivers,  
15 regardless of whether LYFT's drivers are employees, agents, apparent agents, or contractors of LYFT.

16 **TWELFTH CAUSE OF ACTION**

17 **VICARIOUS LIABILITY FOR SEXUAL ASSAULT**

18 **(Alleged Against Defendant LYFT and DOES 1 through 100)**

19 337. Plaintiffs incorporate by reference all of the allegations in paragraphs 1 through 336 as  
20 though fully stated in this cause of action.

21 338. At the time of each assault alleged herein, each LYFT driver intended to cause harmful  
22 and offensive contact with each respective Plaintiff herein, and placed each respective Plaintiff in  
23 reasonable apprehension of imminent harmful and offensive contact.

24 339. Each respective LYFT driver committed these tortious and wrongful acts while acting in  
25 the course and scope of his employment with LYFT as an employee/agent of LYFT. Therefore, LYFT is  
26 liable for each LYFT driver's assault of each respective Plaintiff and is responsible for damages caused  
27 by said conduct under the principles of vicarious liability, including the doctrine of *respondeat superior*.  
28 Even if any LYFT driver had not been an employee, LYFT's duty to provide transportation free of assault

1 is nondelegable and LYFT is liable for each LYFT driver's actions, because to allow LYFT to delegate  
2 its duty of providing the safe transportation it promises would incentivize LYFT to create a greater risk  
3 of harm to the public.

4 340. Under the theories of *respondeat superior*, nondelegable duty, agency, and ostensible  
5 agency, LYFT is liable for the tortious acts of each LYFT driver.

6 341. As a direct and legal result of each LYFT driver's sexual assault upon each respective  
7 Plaintiff, each respective Plaintiff has suffered economic and general, non-economic damages according  
8 to proof.

### 9 **THIRTEENTH CAUSE OF ACTION**

#### 10 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

11 **(Alleged Against Defendant LYFT and DOES 1 through 100)**

12 342. Plaintiffs incorporate by reference all of the allegations in paragraphs 1 through 341 as  
13 though fully stated in this cause of action.

14 343. Defendant LYFT's conduct was outrageous.

15 344. Defendant LYFT intended to cause emotional distress to each Plaintiff or at a minimum  
16 defendant LYFT acted with reckless disregard of the probability that each Plaintiff would suffer  
17 emotional distress, knowing that each Plaintiff was or would be present when the conduct precipitated by  
18 use of the LYFT App occurred.

19 345. Each Plaintiff suffered severe emotional distress including but not limited to emotional  
20 distress, panic, anguish, fright, nervousness, grief, anxiety, worry, shock, humiliation, embarrassment,  
21 shame, mortification, hurt feelings, disappointment, depression and feelings of powerlessness.

22 346. The emotional distress suffered by Plaintiffs is such that an ordinary, reasonable person  
23 would be unable to cope with it

24 347. Defendant LYFT's conduct was a substantial factor in causing the severe emotional  
25 distress suffered by each Plaintiff.

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1 **FOURTEENTH CAUSE OF ACTION**

2 **GENERAL NEGLIGENCE**

3 **(Alleged Against Defendant LYFT and DOES 1 through 100)**

4 348. Plaintiffs incorporate by reference all of the allegations in paragraphs 1 through 347 as  
5 though fully stated in this cause of action.

6 349. Defendant LYFT owed to each Plaintiff a duty to use ordinary care to prevent injury to  
7 plaintiff as a result of the conduct and inaction of LYFT and the conduct and inaction of each LYFT  
8 DRIVER.

9 350. In doing those things alleged herein above, defendant LYFT acted negligently, carelessly  
10 and recklessly, resulting in serious injury to each individual Plaintiff.

11 351. As a proximate result of the acts and failures to act of defendant LYFT, each Plaintiff was  
12 hurt and injured in her health, strength, and activity, sustaining injury to her nervous system and person,  
13 all of which have caused, and continue to cause, each Plaintiff great mental, physical, and nervous pain  
14 and suffering.

15 352. Each Plaintiff is informed and believes, and thereon alleges, that these injuries will result  
16 in some permanent disability. As a result of these injuries, each Plaintiff has suffered general damages in  
17 an amount within the jurisdiction of this court.

18 353. As a proximate result of the acts and failures to act of defendant LYFT, each Plaintiff has  
19 incurred, and will continue to incur, medical and related expenses. The full amount of these expenses is  
20 not known to any individual Plaintiff at this time. Each Plaintiff will move to amend this complaint to  
21 state the amount when it becomes known to her, or on proof thereof.

22 354. As a further legal result of the acts and failures to act of defendant LYFT, each Plaintiff  
23 was prevented from attending to her usual occupation and each Plaintiff is informed and believes that she  
24 will be prevented from attending to her usual occupation for a period of time in the future. Further, each  
25 Plaintiff is entitled to prejudgment interest on that amount when determined.

26 **RELIEF SOUGHT**

27 Plaintiffs BRENDA CHARITY, INGRID FERREIRA, TYKAJA HALL, ERIN MARSHALL,  
28 CAROLINE MILLER, HANNAH WELLS; and each ROE plaintiff seeks judgment against defendant

1 LYFT and against DOES 1 through 100 as follows:

- 2 1. For compensatory damages for the described losses with respect to each cause of action;
- 3 2. For special damages, including but not limited to, past and future medical expenses
- 4 according to proof;
- 5 3. For general damages according to proof;
- 6 4. For past and future emotional distress;
- 7 5. For pre-judgment interest, if warranted;
- 8 6. For costs incurred in this litigation;
- 9 7. For punitive damages with respect to each cause of action; and
- 10 8. For all other relief that the court deems just and proper.

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12 Dated: December 3, 2019

ESTEY & BOMBERGER, LLP

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R. Michael Bomberger, Esq.  
Attorney for All ROE Plaintiffs